



Bound  
Ecological

376726

# Kansas City Public Library



This Volume is for  
REFERENCE USE ONLY

KANSAS CITY  
MO. 641

From the collection of the

o <sup>z n m</sup>Pre<sup>a</sup>inger<sup>v</sup>  
<sup>t p</sup>L<sup>a</sup>ibrary

San Francisco, California  
2007

Digitized by the Internet Archive  
in 2007 with funding from  
Microsoft Corporation



Journal  
of  
Social Hygiene

VOLUME VIII

1922

PUBLISHED QUARTERLY  
AT ALBANY, NEW YORK, FOR  
THE AMERICAN SOCIAL HYGIENE ASSOCIATION  
EDITORIAL AND GENERAL OFFICES  
370 SEVENTH AVENUE, NEW YORK  
(SUPPLEMENT TO SOCIAL HYGIENE, VOL. VIII, No. 4, OCTOBER, 1922)

WASSEL DURING  
YTD 2000  
ON

Copyright 1922, by  
The American Social Hygiene Association, Inc.

Bound  
Periodical

APR 10 1928

876726

# Index to Volume VIII, 1922

## Journal of Social Hygiene

### CONTENTS

BY AUTHOR, TITLE AND SUBJECT

A star (\*) in front of page reference indicates an original article

- Aims and methods of eugenical societies. L. Darwin. 155.
- Annual report of Interdepartmental Board. 157.
- Bad marriage and quick divorce. G. E. Howard. 253.
- Boston, Second sessions of the Municipal Court of the city of. G. E. Worthington and R. Topping. \*191.
- Burnette, L. N. Mental defect and social hygiene. 350.
- Cincinnati questionnaire on sex education. 258.
- Campaign against venereal diseases in eastern Europe. W. Clarke. \*261.
- Campaign against venereal diseases in western Europe. W. Clarke. \*375.
- Clarke, Walter. The campaign against venereal diseases in eastern Europe. \*261.
- Clarke, Walter. The campaign against venereal diseases in western Europe. \*375.
- Colcord, Joanna C. Why marriage bills fail which provide for advance notice. 519.
- Control of venereally diseased persons in interstate commerce. D. Robinson. 156.
- Critical comment on current methods of public education in venereal disease. J. E. Rush. 253.
- Dale, J. A. Introduction to study of social hygiene. 254.
- Darwin, Leonard. The aims and methods of eugenical societies. 155.
- Darwin, Leonard. Preventive medicine and eugenics. 255.
- Davis, Katharine B. A study of the sex life of the normal married woman. \*173.
- Development of character. 286.
- Eastern Europe, Campaign against venereal diseases in. W. Clarke. \*261.
- Eastern European Red Cross Conference on venereal diseases. 158.
- Editorial announcement. 3.
- Education in sex and heredity: a practical program. H. M. Grant. \*5.
- Effectiveness of educational and curative measures against syphilis. 522.
- Eugenics
- Aims and methods of eugenical societies. L. Darwin. 155.
  - Preventive medicine and eugenics. L. Darwin. 255.
  - Relation of birth control to eugenics. E. W. MacBride. 518.
- Falconer, Martha P. The girl of today. \*369.
- First International Congress for sexual reform. 257.
- Fowler, Helen. Handling illegitimacy cases in general hospitals. \*387.

- Functions of law and law enforcement in combating venereal diseases. B. Johnson. \*163.
- Funkhouser, Lesley W. Study of the venereal-disease problem in New York. \*307.
- Girl of to-day. M. P. Falconer. \*369.
- Grant, Henry M. Education in sex and heredity: a practical program. \*5.
- Handling illegitimacy cases in general hospitals. H. Fowler. \*387.
- Heath, Louis J. Sampling public opinion. \*327.
- Howard, George. Bad marriage and quick divorce. 253.
- Illegitimacy**  
 Handling illegitimacy cases in general hospitals. H. Fowler. \*387.  
 Social aspect of the unmarried mother. A. D. Menken. 350.  
 Social treatment of the unmarried mother separated from her child. M. Morlock. 518.
- Interdepartmental Board, Annual report of. 157.
- International congress for sexual reform, First. 257.
- Introduction to study of social hygiene. J. A. Dale. 254.
- Johnson, Bascom. The functions of law and law enforcement in combating venereal diseases. \*163.
- King, Edith S. Relations and duties of public-health nurses and social workers in the diagnosis, treatment and control of syphilis. \*357.
- Kleinschmidt, Harry E. Medical services money cannot buy. 352.
- Last number of "The Malthusian." 258.
- London venereal-disease program. 256.
- MacBride, E. W. The relation of birth control to eugenics. 518.
- "Malthusian," Last number of. 258.
- Marriage bills which provide for advance notice, Why they fail. J. C. Colcord. 519.
- Medical services money cannot buy. H. E. Kleinschmidt. 352.
- Medical Society for the study of venereal diseases. 522.
- Menken, Alice D. A social aspect of the unmarried mother. 350.
- Mental defect and social hygiene. L. N. Burnette. 350.
- Morlock, Maud. Social treatment of the unmarried mother separated from her child. 518.
- National Research Council sponsors research in sex problems. 354.
- Negro, Some public-health problems of the. F. O. Nichols. \*281.
- New York City, Study of the venereal disease problem in. L. W. Funkhouser. \*307.
- New York City, The women's day court of Manhattan and the Bronx. G. E. Worthington and R. Topping. \*393.
- Nichols, Franklin O. Some public-health problems of the Negro. \*281.
- Philadelphia, Misdemeanants' division of the Municipal Court of. G. E. Worthington and R. Topping. \*23.
- Policy of the Society for the prevention of venereal disease (London). 521.
- Preventive medicine and eugenics. L. Darwin. 255.
- Relation of birth control to eugenics. E. W. MacBride. 518.
- Relations and duties of public-health nurses and social workers in the diagnosis, treatment, and control of syphilis. E. S. King. \*357.

- Robinson, David. Control of venereally diseased persons in interstate commerce. 156.
- Rush, J. E. Critical comment on current methods of public education in venereal disease. 253.
- Sampling public opinion. L. J. Heath. \*327.
- Sandiford, Peter. The school programme and sex education. 351.
- School programme and sex education. P. Sandiford. 351.
- Sex, Some problems of. A. G. Spencer. \*271.
- Sex education  
Cincinnati questionnaire on sex education. 258.  
Education in sex and heredity: a practical program. H. M. Grant. \*5.  
School programme and sex education. P. Sandiford. 351.
- Social aspect of the unmarried mother. A. D. Menken. 350.
- Social treatment of the unmarried mother separated from her child. M. Morlock. 518.
- Social hygiene  
Introduction to study of social hygiene. J. A. Dale. 254.  
Mental defect and social hygiene. L. N. Burnette. 350.
- Social Hygiene Bibliography. \*159, \*259, \*355, \*523.
- Some problems of sex. A. G. Spencer. \*271.
- Some public-health problems of the Negro. F. O. Nichols. \*281.
- Spencer, Anna G. Some problems of sex. \*271.
- Stoops, John D. The will and the instinct of sex. 154.
- Strength of the family. 306.
- Study of specialized courts dealing with sex delinquency. G. E. Worthington and R. Topping. \*23, \*191, \*393.
- Study of the sex life of the normal married woman. K. B. Davis. \*173.
- Study of the venereal disease problem in New York City. L. W. Funkhouser. \*307.
- Syphilis  
Relations and duties of public-health nurses and social workers in the diagnosis, treatment, and control of syphilis. E. S. King. \*357.  
Syphilis and stillbirths. 353.
- Topping, Ruth. See Worthington, George E. and R. Topping.
- Towne, Arthur W. Young girl marriages in criminal and juvenile courts. \*287.
- Venereal disease  
Critical comment on current methods of public education in venereal disease. J. E. Rush. 253.  
Medical society for the study of venereal diseases. 522.  
Study of the venereal-disease problem in New York City. L. W. Funkhouser. \*307.
- Venereal disease, *See also* Syphilis.
- Venereal-disease control  
Campaign against venereal diseases in eastern Europe. W. Clarke. \*261.  
Campaign against venereal diseases in western Europe. W. Clarke. 375.  
Control of venereally diseased persons in interstate commerce. D. Robinson. 156.  
Effectiveness of educational and curative measures against syphilis. 522.  
Functions of law and law enforcement in combating venereal diseases. \*163.  
London venereal-disease program. 256.

- Policy of the Society for the Prevention of Venereal Disease (London). 521.
- Western Europe, Campaign against venereal diseases in. W. Clarke. \*375.
- Western European Conference on venereal diseases. 158.
- Will and the instinct of sex. J. D. Stoops. 154.
- Worthington, George E. and R. Topping. A study of specialized courts dealing with sex delinquency. \*23, \*191, \*393.
- Young girl marriages in criminal and juvenile courts. A. W. Towne. \*287.

## BOOKS REVIEWED

### BY AUTHOR AND TITLE

- Bennett, Arnold. Our women. 251.
- Biology of sex. For parents and teachers. T. W. Galloway. 516.
- Bi-sexual love. The homosexual neurosis. W. Stekel. 517.
- Books received. 252, 349, 517.
- Byrd, Hiram. Forty notifiable diseases. 516.
- Children born out of wedlock. G. B. Mangold. 347.
- Conklin, Edwin G. The direction of human evolution. 348.
- Direction of human evolution. E. G. Conklin. 348.
- Eugenic prospect: national and racial. C. W. Saleeby. 252.
- Father and his boy. T. W. Galloway. 153.
- Findlay, Leonard. Syphilis in childhood. 251.
- Forty notifiable diseases. H. Byrd. 516.
- Galloway, Thomas W. Biology of sex. For parents and teachers. 516.
- Galloway, Thomas W. The father and his boy. 153.
- Goddard, Henry H. Juvenile delinquency. 251.
- Growing girl. Her development and training. E. Saywell. 517.
- Gruenberg, Benjamin C. High schools and sex education. 511.
- Hartley, Mrs. C. Gasquoine. Women's wild oats—essays on the re-fixing of moral standards. 250.
- Hay-Cooper, L. Josephine Butler and her work for social purity. 348.
- High schools and sex education. B. C. Gruenberg. 511.
- Hooker, Edith Houghton. Laws of Sex. 342.
- Housing conditions of employed women in the borough of Manhattan. 345.
- Josephine Butler and her work for social purity. L. Hay-Cooper. 348.
- Juvenile delinquency. H. H. Goddard. 251.
- Kimono. J. Paris. 516.
- Laws of sex. E. H. Hooker. 342.
- Life: How it comes. A child's book of elementary biology. S. Reid-Heyman. 349.
- Mangold, George B. Children born out of wedlock. 347.

- Newman, Horatio H. Readings in evolution, genetics, and eugenics. 349.
- Our women. A. Bennett. 251.
- Paris, John. Kimono. 516.
- Personal hygiene applied. J. F. Williams. 517.
- Prenatal care in Chicago. A survey by the Chicago Community Trust. Mrs. K. F. Rich. 516.
- Prevention of venereal diseases. G. A. Reid. 151.
- Prostitution in the United States. H. B. Woolston. 248.
- Readings in evolution, genetics, and eugenics. H. H. Newman. 349.
- Reid, Sir G. Archdall. The prevention of venereal disease. 151.
- Reid-Heyman, Stephen. Life: How it comes. A child's book of elementary biology. 349.
- Rich, Mrs. K. F. Prenatal care in Chicago. A survey by the Chicago Community Trust. 516.
- Royden, Maude. Sex and common sense. 512.
- Saleeby, C. W. The eugenic prospect. National and racial. 252.
- Sanger, Margaret. Woman and the new race. 513.
- Saywell, Evelyn. The growing girl. Her development and training. 517.
- Sex and common sense. M. Royden. 512.
- Solomon, Harry C. and M. H. Syphilis of the innocent. 515.
- Solomon, Maida H. See Solomon, Harry C. and Maida H.
- State and sexual morality. 349.
- Stekel, Wilhelm. Bi-sexual love. The homosexual neurosis. 517.
- Stekel, Wilhelm. Twelve essays on sex and psychoanalysis. 252.
- Syphilis in childhood. L. Findlay. 251.
- Syphilis of the innocent. H. C. and M. H. Solomon. 515.
- Twelve essays on sex and psychoanalysis. W. Stekel. 252.
- Women's wild oats—essays on the re-fixing of moral standards. C. G. Hartley. 250.
- Woolston, Howard B. Prostitution in the United States. 248.
- Williams, Jesse F. Personal hygiene applied. 517.
- Woman and the new race. M. Sanger. 513.





# Journal of Social Hygiene

EDITOR: WILLIAM F. SNOW, M. D.

MANAGING EDITOR: KENNETH M. GOULD

The American Social Hygiene Association presents the articles printed in SOCIAL HYGIENE upon the authority of their writers. It does not necessarily endorse or assume responsibility for opinions expressed or statements made. The reviewing of a book in SOCIAL HYGIENE does not imply its recommendation by the Association.

SOCIAL HYGIENE is supplied to all members of The American Social Hygiene Association, Inc. Membership dues are two dollars a year. The magazine will be sent to persons not members of the Association at three dollars a year; single copies are sold at seventy-five cents each. Back numbers of SOCIAL HYGIENE are available at seventy-five cents, excepting Volume 1, Nos. 1 and 2, the price of which is one dollar each. Correspondence should be addressed to The American Social Hygiene Association, Inc.

SOCIAL HYGIENE is published quarterly in January, April, July, and October for the Association by the Boyd Printing Company, Inc. at 27-29 Columbia St., Albany, N. Y.

Price \$3.00 per year; 75 cents per copy

Application for entry as second-class matter at the post-office at Albany, N. Y.,  
pending.

Application for acceptance for mailing at special rate of postage, Act of 1917,  
pending.

Copyright, 1922, by The American Social Hygiene Association, Inc.

## CONTRIBUTORS TO THIS ISSUE

HENRY M. GRANT, executive secretary of the Oregon Social Hygiene Society, is a graduate of the University of Washington, and previous to entering the social hygiene field, served in the public schools of Washington and Oregon. He has had experience in both grade and high-school work and also in the field of school administration. The educational plans outlined in this article, "Education in Sex and Heredity—A Practical Program," have been developed in their present form during the three years that Mr. Grant has been connected with the Oregon Social Hygiene Society.

The report on the Misdemeanants' Division of the Philadelphia Municipal Court is the second of a series of four by MR. WORTHINGTON and MISS TOPPING, which began in the October, 1921 issue of SOCIAL HYGIENE.

# Journal of Social Hygiene

VOL. VIII

JANUARY, 1922

NO. 1

---

## EDITORIAL ANNOUNCEMENT

We are happy to be able to announce that Professor Maurice A. Bigelow of Teachers College, Columbia University, has consented to assume the editorship-in-chief of the JOURNAL OF SOCIAL HYGIENE, and that he will be assisted by a small advisory board of associate editors.

Professor Bigelow has been identified with this movement since its inception in this country, and was one of the original group to rally to the support of Dr. Prince A. Morrow in the Society for Sanitary and Moral Prophylaxis, which organization has played such an important rôle in the history of social hygiene. Since 1917 he has been a member of the Board of Directors and the Executive Committee of the Association, chairman of its Office Committee, and a member of its Committee on Publication. Thus he is familiar with all the policies and influences which have guided the movement. As a writer, Professor Bigelow has contributed much to social-hygiene literature at critical times when his clear thinking has been needed. His book, *Sex-Education*, for example, is known to many readers of the JOURNAL. As a lecturer he has also rendered great service in the building of public opinion. Professor Bigelow's standing as a biologist, teacher, and university administrator has always been an asset to the directorate of the Association, and will now

be particularly important in continuing the quarterly as a scientific journal of opinion on undeveloped fields of social hygiene and related questions.

It will thus be apparent that the new editorial arrangement does not signify a change of policy, or a departure from the traditions of the JOURNAL. It simply means that its pages will profit by more of Professor Bigelow's time and attention than he has hitherto given to them, and that the Association's General Director will be in part relieved of a responsibility which the growth of the Association's work makes it difficult for him to discharge adequately along with his other various duties. The Director will, however, continue his actual connection with the JOURNAL as one of the Board of Advisory Editors. The composition of the Board will be published in the next number of the JOURNAL.

In transferring to Professor Bigelow and his associates the chief editorial responsibility for the quarterly, the General Director desires to thank the contributors to the past seven volumes for their coöperation and personal sacrifice of time in collecting data and preparing the articles which have brought the JOURNAL to its present recognized standing. In no less measure are thanks due the readers of the quarterly who have in such kindly fashion commended or criticized the numbers year by year and thus enabled the editor to mold the policy which has been followed. With similar loyal support the new editor-in-chief may confidently expect to extend and improve the quality of the quarterly's influence. He will have the same coöperation from the staff members who have served with the General Director as assistant editors and technical assistants. It would seem that the action of the Board of Directors which has made this announcement possible, could not fail, even among all the important enterprises on foot, to be a conspicuous milestone of progress in a prosperous new year.

With the beginning of the new volume, also, it has been decided to change the name of the quarterly to the JOURNAL OF SOCIAL HYGIENE, in harmony with the practice of various other scientific publications.

WILLIAM F. SNOW  
*General Director*

## EDUCATION IN SEX AND HEREDITY: A PRACTICAL PROGRAM

HENRY M. GRANT

*Executive Secretary, Oregon Social Hygiene Society*

The imperative need for education to enable the next generation to face more intelligently the social problems of heredity and sex is generally recognized among educators. The only question in the minds of schoolmen and others concerned with modern education is: "How can such education be introduced into the schools with fairly certain chances of accomplishing desired results and with the chances of hurtful results reduced to a minimum?"

Many educators believe that the program of education proposed in this paper will not only answer the question, but will bring a number of other educational and social benefits. The plan provides for work in both grade and high schools and in higher educational institutions. It also provides for community services through the high schools.

It will be well before going further to clear up any question as to one phase of the program to be proposed. The teaching of socio-biology does not mean the teaching of sex hygiene as such to children in our schools. Nothing in this paper is intended to propose such a thing and the Oregon Social Hygiene Society would be the first to oppose such a plan. Some years ago, in the wave of enthusiasm that followed the first presentation of the need for an understanding of sex problems, attempts were made to conduct classes for children in sex hygiene. These early attempts all met with failure. Class instruction to children in the facts regarding human sex problems could not avoid magnifying sex in the eyes of the children and thereby increasing their curiosity regarding those experiences which had not yet

come to them. What the child needs to get from the school is a general and wholesome knowledge of living things, not a detailed knowledge of the personal human sex problem. In the discussion of a grade school plan the needs of the child will be treated more fully. The foregoing remarks are made merely to remove a popular misconception that the Social Hygiene Society advocates or countenances the sort of program which has just been disavowed.

The place of the parents in giving training in matters relating to heredity and sex might also be spoken of here. It is sometimes said that this whole field belongs in the home, but there are two fundamental reasons why the matter cannot be left entirely in the hands of the parents. (1) Parents in general are not possessed of sufficient knowledge of socio-biology. (2) Such a plan would be unsatisfactory, even though every parent of to-day had a working knowledge of socio-biological subjects, for each succeeding generation would be handicapped by lack of knowledge of the new facts that are constantly being discovered. These must be handed to the next generation through the schools.

A generation of parents with a satisfactory understanding of socio-biology (such as it is hoped will be given the next generation) would be able to do much that is now left undone. Such parents would be able to give their children sound information during pre-school years. And they would be better able to assist their children in developing codes of social ethics. The parent will always have a definite part to play in the development of character, but this does not in any way relieve the school of its duty to supply the knowledge which is an essential part of the foundation upon which character must be built.

The proposed program to meet the need for sociobiological education divides into three parts: (1) grade-school courses in elementary biology; (2) high-school training in socio-biology, including work in the high school communities; and (3) college work, including the training of teachers. These will be treated in the order mentioned.

## GRADE-SCHOOL WORK

The following plan for the teaching of elementary biology in the grades has evolved as a result of years of discussion among leading schoolmen in Oregon, and has met with nearly unanimous approval from educators.

The information children should have to prepare them for their lives as men and women is probably better provided for by this plan than by any other suggested means. The plan is entirely practical and is already in successful operation in three school systems. The only serious objection that has been raised pertains to the cost and that has little force when the benefits of the work are considered.

*The Plan*

The plan provides for teachers of biology in the grade schools of first-class school districts.

These teachers, in the first year of their work, would instruct the third and fourth grades in the life histories of plants and animals. They would have the children raise and study one or two plants in window boxes and one or two animals in aquaria, and would have them bring in plants and animals in different stages of development to compare with those raised. The children would study the conditions under which plants and animals live: where they grow, how they grow, the various methods by which life is reproduced, etc. And above all, from the sex-hygiene point of view, they would acquire a correct vocabulary of terms regarding the structures and functions of living things.

Nothing would be attempted beyond these grades the first year. After the third and fourth grades had had a year of this work, the third grade, now become fourth, would take a second year of similar work and the new third grade would be introduced to the work. The fourth grade would be carried on by the same teacher into a little more advanced work in the fifth and then in the sixth grade.

In the fifth and sixth grades the children would study the structures and functions of plants and animals in greater detail.

They would take up the cellular construction of living substances—how groups of these cells form different parts of plants and animals and what these parts do for the organism as a whole. They would study structures and functions of stems and roots and leaves in plants, of muscles and nerves and blood in animals. And they would study the structure and functions of the flower in plants and of the reproductive tract in animals, just as they studied the structure and function of any other part. Reproduction would be neither given undue prominence nor made to appear abnormal by being left out. It would simply be given its proper place in the scheme of life and studied as one of the functions of living matter.

During these two years the children would further develop their vocabularies. Terms that deal with simple functions of living matter would be normal words to them and the ideas that lie back of those terms would be normal ideas to them.

Then, with the background of four years' work, the children would get their human physiology and hygiene in the seventh and eighth grades under this same teacher. Just how each teacher would handle the human physiology and hygiene, just how the children would react to study of the facts of human reproduction when it was reached, just how much could be said of the problems concerned with reproduction in order to prepare for life those who go no farther in schools, are questions that can be answered only after the work has been developed to that point in those schools where it is now being carried on.

Teachers able to carry on such work must be well trained in both biology and pedagogy. They must also be well balanced and possessed of an understanding of the problems that lie back of their teaching and toward the solution of which their teaching aims.

It will be noticed that the suggested plan provides for three factors that are believed essential to success. These factors are:

1. The carrying on of the work by properly trained teachers and by no others.



2. The giving of no work in the upper grades before a background has been given the children in the lower grades.

3. The careful experimenting with the work in a few places to build a content and method before attempting any general introduction of the plan.

For the school year 1920-1921, three teachers, possessing in a satisfactory degree the necessary qualifications and having, as a further qualification, the ability to check and criticise their own work, were obtained and employed by the school districts of Ashland, Newberg, and The Dalles, Oregon. These towns are located in three distinctly different districts of the state, and therefore different materials were found to work with, as well as somewhat varying types of children.

During its first year the work was financed in part by the federal government through the Interdepartmental Social Hygiene Board. The withdrawal of Congressional appropriations from the Board has, however, eliminated federal support. However, this support is no longer needed, as the plan has in one year proved its value beyond even the expectations of its advocates.

It was expected:

1. To satisfy in a normal, impersonal manner that natural curiosity of children regarding the reproductive processes of living things.

2. To give to each student such a body of fact as would assist him in interpreting the personal problems of adolescent and adult years.

3. To produce a generation of society with a sufficient knowledge of the life processes of living things to face intelligently the social problems of sex and heredity.

4. To give children in the grade schools some knowledge of the inductive method, some ability to draw conclusions from observed phenomena.

That it is very successfully doing all these things and more is amply proved by the reports the teachers have made semi-annually. These reports contain numerous endorsements by school authorities, teachers, parents, and the children. The work has met with no unfavorable criticism.

One can get a real idea of what this work is accomplishing only by visits to classrooms. A person acquainted with classroom work can there observe how the children react to questions. The observer will not hear the usual answer, "I don't know," when an unfamiliar question is asked. Instead, there is an obvious seeking for an answer from comparison with facts already obtained. When a reply is given it will probably be in this form, "Well, such and such a thing is like *this*, so the answer ought to be *this*." Those children are thinking in a way the average child has not been taught to think. One can further observe a frank, wholesome familiarity with natural phenomena that inevitably must preclude the point of view that secrecy has for so long bred toward vital functions of living organisms.

If one cannot visit the classrooms, the best way to gain an understanding of what is being done is to read the reports of the teachers. These are available and will be gladly sent to any address upon request.<sup>1</sup>

The reports cover the content of the work to date—the methods employed, the children's attitude toward and ability to do the work, the possible coördination with other subjects, the attitude of parents and teachers, and other interesting data.

It is beyond the scope of this paper to quote sections from the reports covering each of the above phases, interesting as they are. A few quotations, however, will give some idea of the scope of the work and of the reactions of the public thereto.

As regards material used, the following from the mid-year report of Miss Holt at The Dalles is a fair example:

1. *Material treated.*

Flowers—parts, with functions leading to fertilization of ovule, and part played by insects.

Insects—bee community life and work of each bee; grasshopper; monarch butterfly, metamorphosis; ants (in 4th grades only).

Fruits and seeds—types and their dissemination; seeds with parts and functions; seedlings and conditions affecting growth.

<sup>1</sup> Applications for copies of the reports for 1920-1921 should be sent to the Oregon Social Hygiene Society, 720 Selling Building, Portland, Oregon.

Birds—life and habits of birds; local birds in winter; feeding; plumage and identification; nests; types of beaks, feet, and tails; with reasons; digestive system; respiratory system.

Fish—adaptation to water life; habits; respiratory and digestive systems; reproduction.

In her second semester report Miss Holt says in part:

1. *Material treated.*

It is less easy to outline the course of study for this semester than it was for the first. The children have their eyes open for everything that is alive, that grows and moves, and a lesson plan is rarely followed. Every day brings forth new wonders and discoveries that must be investigated at the time, and often the variety of material brought into one room will furnish the basis for a week's study. Hence work planned by the teacher is put into the background and we work on the material offered. After all, this is the end to be desired. The teacher has to be very versatile, as 175 youngsters can see and think of as many different things to talk about at the same time; each one is just as important as the other and each one must receive an equal amount of consideration. All of this makes an outlined course of study impossible. All one can do is to sum up the general fields covered.

Each succeeding phase is worked out from that preceding, and we continue working in one ever-growing spiral from the beginning. The children love to connect up with the things that they already know about, so the second part of the work has kept up a continual review of the first.

The following extracts from the second semester report of Miss Laird at Newberg give some idea of how the work is carried on.

1. *Inductive method in the classroom.*

I am still following the inductive method—trying to get a questioning attitude of mind into their thinking and an ability to weigh facts. I really believe that the ability of the children to answer their own questions is steadily increasing. They often carry on a very animated discussion with little guidance from me. The confirmatory questions

that they give to one another are often very amusing in their imitateness.

The following discussion on toads shows that they are doing some thinking:

Some one brought a toad to class. "Is that a toad or a frog?" asked a pupil.

Teacher: "How can we tell the difference?"

Paul: "Toads are brown, and frogs are green, and toads give you warts."

Leslie: "I've seen brown frogs."

Others: "So have I."

Pupils: "Toads have lumps on their skin, so that's a toad."

Paul: "Well, anyhow, they give you warts." Many nods of agreement.

One pupil: "I've handled toads and I never got warts."

Another: "I've got warts, but I never handled toads."

A third: "My sister has warts, but she wouldn't even look at a toad."

A fourth: "I handled toads and I got warts."

Charles: "I think it is something inside of you that gives you warts."

Velda: "My father had a wart on the end of his nose and I'll ask him if he had a toad there." Next day we heard that he denied having had such an experience.

Albert: "Just touching a toad won't give you warts, you've got to squeeze it." So I squeezed it, but we looked in vain the rest of the year for warts on my hands. Most of us decided that toads' warts are different from people's warts and do not cause them.

In discussing the ability of children, Miss Laird says:

1. The very best measure of the ability of the children has been in comparing them with the new classes that came in last February. I have seen a great difference in the handling of the same problems, especially during the first few months. In the fifth grade we had several new pupils thrown in with those who had studied biology, and they did not have the same facility in handling problems, although these differences became less noticeable as time passed.

2. The children seem to be gaining in ability to carry out simple experiments and draw conclusions from their observations. They are

on the whole more observing, and several have come to class with very deep questions that show they have been thinking. One little fourth-grader has demonstrated this several times. After we had seen a robin which had been incubated about a week, he asked many questions about how the egg grew from one cell to a robin. Finally, "But I can't understand how one little cell knows to grow into part of the head or wherever it belongs." And this problem kept coming up for days.

Miss Holt's report also speaks of the ability of the children to think inductively. In discussing her method of developing new material, she says:

My method has varied little since the beginning of the year except that the inductive method can be used more fully. We have more background to work with and the children are getting the habit of trying to work things out. They find things that arouse their curiosity and start out at once in search of reasons. Often their conclusions are surprisingly correct. Sometimes they are off in the wrong direction, but when they bring things in they usually have some explanation. Such things bring up a great deal of discussion which makes the children realize the value of personal out-of-door experience in winning their point. Points are seldom settled at one time but are held over for more observation and information. This leads to a great deal of reading and questioning of parents and older brothers and sisters. They are getting away from the idea that every statement is absolute law and take things with a grain of salt until they have seen for themselves. This is a valuable state of mind when it comes to breaking them away from ingrown beliefs and prejudices that are without foundation.

The following quotations from Miss Ruch's report of work at Ashland indicate the impression the work is making.

The teachers gave hearty support to the work and all stated that they could see the value of the experiment. In one case the teacher gathered material and studied it with her pupils.

The teachers were surprised at the serious attitude of the pupils when reproductive processes were discussed. Some had not thought such a thing possible in a varied group of children. In every case they agreed that such methods of approach were successful.

A mother of a 3-B girl came to visit the elementary biology class after the child had been in the class for two days. The child had been so enthusiastic over the work and was telling her smaller sister and her mother what she was learning. Later the mother made numerous visits bringing the younger child with her.

One child was placed in the third-grade room for one week while proper adjustments were made, then was returned to the second-grade room. During this period her interest in the biology work was such that she continued to care for her germinated seeds throughout the remainder of the year. Occasionally she would bring her little plants to show me and she was carefully observing their growth. She was asking my pupils what they were studying from time to time and making similar collections of materials for her own study.

One child had told an older sister who was taking biology at high school of the experiments we had made at school. The girl, unappreciative of the fact that her brother was learning so much biology, said, "Why we have tested foods to see if they contain grape-sugar too." The boy at once wanted to know how the test was made. The girl told him that it was impossible for grade-school children to perform such an experiment, as there was no gas available. The next day this 4-A boy appeared with a can of "Sterno" heat and some candy to be tested. On the following day we made the test.

The following is a passage from Miss Holt's report on coördination with other subjects. Those interested in the subject are again referred to the original reports.

#### *Coördination with Other Subjects*

One would think to hear the other teachers talk, that they were co-ordinating everything with biology. I sometimes wonder if they will not overdo a good thing and make the children sick and tired of biology when they get it from every source. It seems to be the sugar coating for all pills. In all cases it seems to be a help in other subjects. The following from Miss Gilman, principal of Whittier School:

If we could only find a way of getting our children as interested in other things as they are in biology there would be no further trouble with school work. I have never seen anything in which the children are so interested or that they wanted to work at so constantly. It is one of the biggest helps that has ever gone into our schools—a help in every subject and in every way. It has

taught the children to observe and has taken a school interest outside the school. One of the weak points of our schools is that we have not been able to give an interest that holds good everywhere. Biology has done this. I certainly hope that it will be continued in our school next year.

Miss Rintoul, Miss Schmit, and Miss Ferris, the three teachers under whom the work was carried on in the Whittier School, are just as strongly in favor of the work as they expressed themselves previously. They emphasized the training it has given the children in observation, interest, and thought—how it has helped in their other work—the interest parents have shown, and how glad they were that their children were having these opportunities which they had not had.

The following from Mr. H. C. Tallman, the principal of East Hill School:

Biology has been taught to the boys and girls of the third and fourth grades of the East Hill School by Miss Vesta Holt of the Science Department of the local high school every school day since last September for a thirty-minute period.

The results are amazing. The children are eager for every lesson. Many child curiosities have been satisfied incidentally through the study of plants, insects, and animals that were collected by the pupils.

Unsolicited, parents have often endorsed the work. They feel that the presentation of nature through biology is the correct way for their children to be taught to appreciate nature.

Miss McKenzie and Miss Aldrich, the grade teachers at East Hill, also express their approval as strongly as given in the first report and desire that the work be continued. They feel that it has aided the other work in addition to its own intrinsic value to the children. Superintendent Kirk also expresses his complete and hearty approval from every point of view.

The result of this one year's work has demonstrated so conclusively the practicability of the plan and its sound pedagogy that the urging of its extension is believed justified. It is hoped that during the present school year several districts will prepare for the introduction of the work in September, 1922. A few more qualified teachers will probably be available by that time.

It has already been remarked that the only objection offered to the work has been its cost. This is a factor that must be considered in relation to the results to be obtained. The employ-

ment of well-trained persons in any field is never inexpensive. It is often the cheapest thing to do when outlay is balanced against results.

The introduction of this work in any district means the employment of an extra teacher. In large districts it means more than one teacher, and these teachers cannot be obtained at the salaries paid for regular grade-school work. In considering the plan, school districts will have to realize this fact and balance the value of the work against the salaries that must be paid. Persons with the native ability to handle such vital educational problems cannot be persuaded to take the necessary technical training without a promise of greater reward than that offered for regular teaching work. It has been estimated that, under present conditions, desirable teachers in this field cannot be obtained for less than sixteen hundred dollars a year, and this estimate is probably fairly accurate.

If, however, the carrying out of the suggested program will even approximate the results promised, the expense of employing teachers becomes imperatively necessary and not to be considered a reason for rejecting the plan. One year's test of the work brings a conviction that such teaching will accomplish all that has been promised and makes the educators who have been responsible for this program willing to urge its extension as rapidly as satisfactory teachers can be secured.

#### HIGH SCHOOL WORK

The program for grade-school work provides education to give the next generation a fundamental understanding of the principles upon which our actions as men and women are based. But the introduction of such work into every grade school would still leave the task of giving to adolescents an understanding of their socio-biological problems. This is especially true in the interval that must elapse before children now in the lower grades reach the high school. We believe the suggestions outlined farther on provide a practical method for bringing the necessary information to the young people now in our secondary schools.



The suggestions also provide for a general scientific service to communities through the high schools. This service will be of great value to the schools in making contacts upon vital matters with their communities at large.

During the past two years the Oregon Social Hygiene Society has attempted to reach the adolescent boys and girls in the high schools of the state of Oregon with lectures on heredity and sex and on the social problems connected therewith. The lectures have been given to both boys and girls in separate groups, a man lecturing to the boys and a woman to the girls. An idea of the scope of the work then contemplated is given in the following portion of a pamphlet published in October, 1920, and entitled "An Announcement to High Schools."

As a part of its educational program, the Oregon Social Hygiene Society has arranged to provide a series of socio-biological lectures for the high-school boys and girls of the state. This series will be given in every high school of the state in which it is desired, provided the school has an enrollment of twenty-five or more students.

The lectures will cover four topics, one topic to be discussed each year. They will not be in sequence, but are so prepared that any topic may be discussed first, and yet so that the series will contain a body of knowledge that every student should have regarding heredity and sex. Two lectures to boys and two lectures to girls will be given at a school each year.

Lectures of similar type, that is, lectures presenting strictly accurate facts of biology to students in order that they might have a better background of knowledge for the guidance of their lives and the control of their impulses, have been given by representatives of this Society in a majority of the high schools of the state during the past two years and have received the most cordial endorsement of school-men wherever they have been given.

Topics will be treated during the next four years as follows:

### *Heredity*

Lectures intending: (1) to bring to the high-school student a knowledge of the character, behavior, and value of the germ-plasm which each individual carries; (2) to lay a foundation for the intelligent

consideration of marriage control and similar problems; (3) to inspire respect for the processes of heredity transmission; (4) to interest the young people in the welfare of the coming generation.

### *The Development and Function of Sex*

Lectures attempting: (1) to solve for the adolescent the problem of the "why of sex" by tracing the development of sex in living things; (2) to explain the advantages of two lines of descent; (3) to bring about a respectful consideration of the sex process without either mawkish sentiment or irrational embarrassment.

### *Sex Distinctions, Structural and Functional*

Lectures giving definite information about the structure and function of the reproductive system and other sex characters in a scientific manner. In discussing the functions of the reproductive system, emphasis is placed on the social necessity of freedom from disease and the value to the individual in his development of the internal secretions from healthy normal reproductive organs.

### *Primary and Secondary Sex Instincts*

The catastrophes of adolescence can often be prevented by a knowledge of the sex instincts. These lectures present the hereditary reactions whose functions pertain to the propagation of the species. These reactions are all valuable, although many should be delayed on account of the necessity in our modern complex society of later marriages. A knowledge of these instincts forms a rational basis for self-control much more effective than admonitions.

The scientific accuracy of the lecturers sent out by the Society has been commended wherever the lectures have been given. The speakers have been persons well prepared in the fields of biology, sociology, and pedagogy.

This program, as carried on directly by the Social Hygiene Society has been discontinued because of the legislature's failure to provide sufficient funds. This forced discontinuance will, however, be an advantage to all concerned if the program here suggested is adopted by the schoolmen of Oregon. The plan

provides for the financing of such work directly by the school districts. It extends the former program, keeping its benefits and eliminating the defects suggested below.

During the time the lecture work has been conducted many letters have been received from superintendents and high-school principals, every one of whom heartily endorses the general ideas embodied in the program, but a number of whom have criticised certain details of technique. One of these criticisms has been that the speakers did not return often enough to be of any considerable advantage to the young people in helping them with their problems. It is no doubt true that the speakers have often set young people to thinking seriously about problems of sex, and that the young people have then had no one to turn to for an answer to their questions. Another criticism has been that the work needed to reach parents as well as students. These criticisms are met in the present plan, which, in its details, applies specifically to the state of Oregon.

The plan is that two speakers, a man and a woman, be sent out by the Oregon Social Hygiene Society to reach twenty high-school districts once each month. These persons should be highly equipped technically and temperamentally to deal with individual, school, and community problems in socio-biology. During the course of a school year they would:

1. Deliver a series of nine lectures to the boys and girls similar in general content to the outline suggested above.
2. Remain in the school one day each month, holding private conferences with boys and girls respectively and answering the questions that are constantly arising in the lives of every young man and young woman.
3. Prepare and give addresses upon sanitation, hygiene, heredity, sex, and various allied social problems to the adults of the various communities they reach or to groups of adults within those communities.
4. Place themselves at the service of parents and others wanting advice regarding problems such as the giving of sex information to children.

5. Act as experts for school community officials in dealing with sex offenses and rules and regulations relating thereto.

6. Keep the community in touch with the health forces of the state, thereby enabling each community served more readily to solve the problems which arise now and then in every community.

The services of two such persons could be obtained by a group of twenty districts for less than the former cost when the lecturers covered the entire state, as traveling expense would be reduced. It has been figured that such a piece of work could be carried on at a total expense of approximately \$300 per year per district for twenty districts. This estimate of expense may be increased or reduced by changing the number of districts visited and the number of visits made to each.

The number of requests received from educators and others for such services as would be provided under this plan indicates that the various communities in Oregon will welcome the offer. The difficulty for several years, as with the grade-school work, will probably be in finding a sufficient number of persons properly equipped to handle the program. No others should ever be entrusted with such work.

The plan is practical and it has already been sufficiently endorsed by educators and school-board members to justify the belief that its adoption is assured whenever its benefits are understood.

#### COLLEGE WORK

The colleges have a double duty to perform in connection with a program for education in sex and heredity. They must develop in the students who come to them ideals of home-making and of social responsibilities by an extension of the training proposed for the grades and high schools and they must prepare teachers for the entire field.

In the state of Oregon, where this program has developed, the colleges have a strong sympathy for such education, and there is no question as to their doing their part in developing such training to the extent of their facilities. The training of teachers for

the work is now actively carried on and in its Portland center, the University of Oregon is conducting classes in sex and heredity for young men and for educators and social workers.

Although it has nothing directly to do with the plan for work in the schools, it might be said here that courses of ten lessons for girls have been given in a number of industrial plants in Portland during the past two years. These classes have given proof of the pressing demand for training in the suggested fields. The girls to whom this training has been offered have been willing to leave home an hour earlier or stay an hour after work in order to get the information. The members of every class have shown sincere appreciation, and industrial establishments have requested that the courses be given on company time.

It might also be remarked that education on these subjects is constantly carried to the people of Oregon through lectures, films, and exhibits under the direction of the Social Hygiene Society.

### "NOW IT CAN BE TOLD"

Down side-streets here and there were houses where other women lived, not so severe in their point of view. Their business, indeed, did not permit of severity, and they catered for the hunger of men exiled year after year from their own home-life and from decent womanhood. They gave the base counterfeited love in return for a few francs, and there were long lines of men—English, Irish, and Scottish soldiers—who waited their turn to get that vile imitation of life's romance from women who were bought and paid for. Our men paid a higher price than a few francs for the Circe's cup of pleasure, which changed them into swine for a while, until the spell passed, and would have blasted their souls if God were not understanding of human weakness and of war. They paid in their bodies, if not in their souls, those boys of ours who loved life and beauty and gentle things, and lived in filth and shell-fire, and were trained to kill, and knew that death was hunting for them and had all the odds of luck.

From *Now It Can Be Told*, (New York: Harper & Brothers, 1920), by Sir Philip Gibbs, p. 157.

## THE MISDEMEANANTS' DIVISION OF THE PHILADELPHIA MUNICIPAL COURT

GEORGE E. WORTHINGTON

*Associate Director, Department of Law Enforcement Activities, American  
Social Hygiene Association*

AND

RUTH TOPPING

*Field Secretary, Bureau of Social Hygiene*

The special court in Philadelphia which deals with cases involving sex delinquency, is known as the Misdemeanants' Division of the Municipal Court. This is the court which corresponds to the Chicago Morals Court.

### JURISDICTION

The Municipal Court is a court of record created by an act of the General Assembly of the Commonwealth of Pennsylvania, approved July 12, 1913,<sup>1</sup> which gave it exclusive jurisdiction in juvenile cases, desertion and non-support of wife or children, abandoned and indigent parents; and limited jurisdiction in criminal<sup>2</sup> and civil cases.

The judges are elected by popular vote for a term of ten years,

<sup>1</sup> P. L. 711.

<sup>2</sup> "Sec. 11. The said court shall have jurisdiction in all criminal actions and suits for penalties, except that it shall not have jurisdiction in the trial of indictments for arson, burglary, forgery, kidnapping, murder, voluntary manslaughter, perjury, rape, robbery, treason or misprision of treason, or for violation or conspiracy to violate the election or registration laws of this commonwealth, or for criminal libel, or for embezzlement by any public officer, or any offense involving breach of official duties by any public officer . . . The judges . . . shall be ex officio justices of the peace. . . . When defendants are bound over for trial . . . indictments may be presented before Grand Jury . . . which indictments may be tried either in existing courts, or in the Municipal Court."

and receive a salary of \$8,000.<sup>1</sup> At present there are nine judges in the Municipal Court, one of whom is chosen by the Governor as president judge. The Court does not meet in terms, but is required by law to be open at all times for the transaction of business. At present, it has the following divisions:

The Domestic Relations Division

The Criminal Division

The Misdemeanants' Division

The Juvenile Division

The Civil Division

Judges are assigned to the various divisions by the president judge.

The Misdemeanants' Division was created in 1915, after the enactment by the General Assembly of the Act of June 17, 1915,<sup>2</sup> which gives the Municipal Court exclusive jurisdiction over disorderly street-walkers<sup>3</sup> and disorderly children,<sup>4</sup> between the ages of 16 and 21 years. The designation, "misdemeanants," is not statutory.

The Misdemeanants' Division is the court's heritage from the old Justice-of-the-Peace and Magistrates' Courts. All cases of sex delinquency which formerly could have been disposed of summarily by a magistrate, alderman, or justice of the peace are disposed of summarily by this court. Likewise, all other cases of sex delinquency which require a jury trial are given a preliminary hearing, and if the judge finds there is probable cause to hold the defendant for trial, he is bound over for the grand jury in the same procedure observed by a magistrate. No pleas are received,

<sup>1</sup> Act of July 21, 1919, P. L. 1065. The president judge receives \$8500.

<sup>2</sup> P. L. 1017.

<sup>3</sup> "In all proceedings concerning, or trials or charges brought against all persons, whether adults or minors, accused of disorderly street-walking."

<sup>4</sup> "In all proceedings concerning, or trials or charges brought against, all minors between the ages of 16 and 21 years who shall disobey their parents' command, or be found idle in the streets, and against all disorderly children." Disorderly children are defined as "all children not under the age of 16 years deserting their homes without good and sufficient cause, or keeping company with dissolute or vicious persons, against the lawful commands of their fathers, mothers, or guardians, or other person standing in the place of a parent."



but upon admission of guilt by defendant, sentence may be pronounced by the judge—not in his capacity as a magistrate, but in his capacity as a judge of the Municipal Court.

No jury-waiver system such as described in the section relating to the Chicago Morals Court, exists. Indeed in the formation of this court, much of the waste of the old common-law system was retained. Thus, in cases requiring a jury trial, a preliminary hearing is held before the Misdemeanants' Division. If probable cause is found, the defendant is bound over for hearing by the grand jury. If the grand jury returns a true bill, the defendant is tried on indictment before a petit jury in the Criminal Division.<sup>1</sup> The hardship on witnesses in attending this multiplicity of hearings needs no comment. A proposed remedy will be discussed in the final instalment of the series. The vesting of exclusive jurisdiction in the Misdemeanants' Division of the cases referred to in notes 3 and 4 on page 24 is a departure from the old common-law system of jurisprudence.

This court, which has become highly specialized, is housed in a special building at Twelfth and Wood Streets, which building also contains medical and mental examination rooms, fingerprint and identification bureau, and detention quarters for women and girls, all of which will be given special consideration in another part of this report.<sup>2</sup> The court sits three days a week—Mondays, Wednesdays and Fridays, the sessions beginning at 10:30 in the morning and lasting for about three hours.

It will be noted, that this court does not specialize on any other kind of sex delinquency than that of street-walking, and those offenses involving children between the ages of 16 and 21, over which this court is given exclusive jurisdiction. All cases are tried in this court by the Judge without a jury. Other offenses involving sex delinquency, as before stated, have a preliminary hearing in this court by the judge sitting as a magistrate, and, if held, are bound over for trial before the Criminal Division or

<sup>1</sup> They may also be tried in the Court of Quarter Sessions as the District Attorney may elect.

<sup>2</sup> P. 37.

the Court of Quarter Sessions of the Peace. The latter are jury courts, and are not specialized.

For the purpose of the comparison with other courts, which will be made later in the study, a brief resumé of the Pennsylvania laws relating to sex delinquency is here given, with a statement as to the courts before which offenders are brought.

Curiously enough, the one sex offense over which the Misdemeanants' Division has exclusive jurisdiction, viz., street-walkers, has no express definition in the laws of Pennsylvania, either statutory or common-law. The Municipal Court Act, above referred to, recognizes them as a distinct class of offenders. They are also mentioned in the statutes relating to the House of Correction,<sup>1</sup> which provide that street-walkers, together with several other classes of offenders, may be committed to that institution as follows: From 3 months to 1 year for the first offense; from 9 months to 18 months for the second offense; from 18 months to 24 months for the third offense; and not more nor less than 24 months for the fourth and all subsequent offenses.

No mention of street-walkers can be found in the Pennsylvania decisions, but inasmuch as the common-law applies in that state in the absence of statute, the common-law definition is to be accepted.<sup>2</sup>

<sup>1</sup> Secs. 11967-11976 Penn. Statutes 1920.

<sup>2</sup> This does not seem to have been an offense at the English common law. The following two definitions are to be found in the decisions of Georgia and Michigan.

*Pinkerton vs. Verberg*, 7 L. R. A. 507 Mich. 1889. Street-walking is the offense of a common prostitute offering herself for sale upon the streets at unusual or unreasonable hours, endeavoring to induce men to follow her for the purpose of prostitution.

*Galloway vs. Mimms*, Ga. 1908, 62 S. E. at 657. Street-walking—that is, the parading in the streets by lewd women, to the encouragement or advertisement of their means of livelihood.

In *Com. vs. Stalcup*, 32, Lancaster Law Review 393, (Pa.), it was held: "An indictment alleging that the defendant 'openly and publicly, in and on a public highway, in the hearing of the citizens of the said Commonwealth, and to their manifest corruption and subversion, did solicit men for immoral purposes,' sets forth an offense which openly outrages decency and is injurious to the public morals and therefore constitutes a misdemeanor at common law, though not a public nuisance."

The court, sitting as a magistrate tries summarily also, cases of disorderly conduct that involve sex delinquency.

According to Captain Lee, Chief of the Police Vice Squad, persons may be charged with disorderly conduct under the following circumstances.<sup>1</sup>

If she is a street-walker but we have not direct solicitation on her, but know her to be a woman of that type and I find her in conversation with four or five men, and she is seen on the way to a house of assignation, the man and woman are both arrested. By the man I show what her business is; I cannot charge her with being a disorderly street-walker, but charge her with disorderly conduct.<sup>2</sup>

Several convictions for disorderly conduct under circumstances similar to those enumerated by Captain Lee were observed and will be mentioned in the illustrative cases.

In the following offenses relating to sex delinquency, preliminary hearings only are held in the Misdemeanants' Division:

*Adultery.* Sec. 7670, Penn. Stats. 1920. Carnal connection by married person with someone other than his spouse, penalty fine not more than \$500, or imprisonment not exceeding one year, or both;

*Fornication.* Sec. 7865, Penn. Stats. 1920. Carnal connection of unmarried persons—fine not exceeding \$500.

*Keeping a Bawdy House.* Sec. 7708. Penn. Stats. 1920. If any person shall keep and maintain a common bawdy house, or place for the practice of fornication, or shall, knowingly, let or demise a house, or part thereof, to be so kept, he or she shall be guilty of a misdemeanor, and on conviction be sentenced to pay a fine not exceeding \$1,000 and to undergo an imprisonment not exceeding two years (1860).

*Frequenting a Bawdy House.* Sec. 7709. Penn. Stats. 1920. If any male person having no apparent trade, occupation, or business, or being without any means of subsistence, shall stay, frequent or loiter in or about any bawdy house; or if any male person whatsoever shall ask for, demand, take or receive any money or other valuable thing, except in the course of lawful business, from the proprietors or inmate of any bawdy house; he shall be

<sup>1</sup> Interview with investigators, January 21, 1921.

<sup>2</sup> Disorderly conduct is not a statutory offense in Pennsylvania. It is defined as follows, in the Pennsylvania decision of *In re Alderman and Justices of the Peace*, 2 Pars. Eq. Cas. 458, 464: "Lawless contrary to the law; violating, or disposed to violate, law and good order; inclined to break loose from restraint; unruly; . . . all who violate the peace and good order of society, either as vagrants, disorderly persons, or for breach of the public peace."

guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to undergo an imprisonment not exceeding three years and pay a fine not exceeding \$1,000, or either or both, at the discretion of the court.

*Open Lewdness.* Sec. 7908. If any person shall commit open lewdness, or any notorious act of public indecency, tending to debauch the morals or manners of the people . . . he shall be guilty of a misdemeanor . . . punishable by fine not exceeding \$100, or imprisonment not exceeding one year, or both (1860).

*Pandering.* (1911) Sec. 7993. Punishable by imprisonment for not more than ten years at hard labor.

*Placing wife in house of prostitution.* (1911) Sec. 7994. Punishable by imprisonment for not more than ten years at hard labor.

*Detention because of debt in house of prostitution.* (1911) Sec. 7995. Punishable by imprisonment for not more than ten years at hard labor.

*Receiving proceeds of prostitution.* (1911) Sec. 7996. Punishable by imprisonment for not more than ten years at hard labor.

*Transporting female for prostitution.* (1911) Sec. 7997. Punishable by imprisonment for not more than ten years at hard labor.

*Enticing into State for prostitution.* (1909) Sec. 7999. Misdemeanor. Punishable by imprisonment for not more than five years or \$500 fine.

The foregoing offenses are triable before a jury in either the Criminal Division or the Court of Quarter Sessions.

From the foregoing review of laws relating to chastity, it will be seen that the scope of the court's work is very limited as to sex delinquents. With the exception of children between the ages of 16 and 21 over whom the court may exercise full sway, practically the only class of sex delinquents with which the court may deal fully, are disorderly street-walkers and their customers. For these, the court has set up a very elaborate machinery which will be described in another part of the report. The pity of it is, that this machinery cannot be used for a larger number of the prostitutes of Philadelphia and their customers, because of inadequate vice-repressive legislation, and also because of the present limitation of the court's jurisdiction.

#### ARREST

The manner of bringing girls and women into court is described in the Sixth and Seventh Annual Reports of the Municipal Court as follows:

Women and girls were brought into Court in several ways (1) arrests by the Vice Squad, police officers, officers of the United States Department of Justice, park guards, and the Sheriff; (2) complaints on the part of parents, relatives, or social agencies; and (3) by references of other officers or courts, such as the detective bureau, store detectives, the Juvenile and Domestic Relations Divisions of the Probation Department of the Municipal Court, and magistrates . . .<sup>1</sup>

By far the largest number (42 per cent) of the cases brought in . . . were brought in by the Vice Squad, who are plain-clothes police officers working in pairs so that one may bear the other out as witness. Nearly two thirds (64 per cent) of the women and girls brought in for disorderly street-walking were arrested by the Vice Squad, . . . the Vice Squad also made the largest number of arrests of women brought in for disorderly conduct (61 per cent), a misdemeanor in some ways closely allied to street-walking. In making the arrests for disorderly street-walking and soliciting, members of the Vice Squad exercise great care never to arrest a woman until she has indicated the house, or named a price or otherwise definitely committed herself, otherwise the case is discharged with the reprimand to the officer.<sup>2</sup>

Captain Lee, head of the Vice Squad, reported that arrests are generally made upon warrant, except in case of disorderly street-walking and disorderly conduct; the latter, because the offense is presumed to have taken place in the presence of the officer. It was observed that a case of being an inmate and keeper of a bawdy-house was dismissed by the judge where the arrests had been made without warrants—upon the theory that the illegal arrest had deprived the court of jurisdiction, even though the defendants were present in court. A contrary policy on the part of the police and the court is indicated by Table 9 of the 1920 report of the Women's Misdemeanants' Division of the Municipal Court of Philadelphia,<sup>3</sup> showing the manner of bringing cases into court and the nature of offenses committed;

<sup>1</sup> Sixth Annual Report of the Municipal Court of Philadelphia, 1919, p. 125.

<sup>2</sup> Seventh Annual Report of the Municipal Court of Philadelphia, 1920, p. 125.

<sup>3</sup> See Table 28 in the Appendix, a reprint of Table 9 of the Municipal Court Report.

and Table 7 of the same report,<sup>1</sup> showing the disposition of all cases, classified by offense. This conflict was submitted to Captain Lee, over the telephone, and to officials of the court in person. Captain Lee said that the police report for 1920 (not published) showed that the police had made 224 arrests of inmates and frequenters and 103 arrests of keepers of disorderly bawdy houses. He stated that only "two or three" of these arrests had been made without warrant. Officials of the court corroborated the correctness of the statement of law above given, but in relation to the facts sent a telegram, of which a pertinent extract follows:

"Mr. Drown says some inaccuracies, also some questions of terminology . . ."

Immediately after arrest, all women defendants in sexual offenses are taken to the Detention House at Twelfth and Wood Streets where they are slated, and given an opportunity to make bail. That few take advantage of this opportunity is indicated by Table 15. Everyone interviewed was emphatic in denying that women defendants of this class were ever taken to the police station.

#### PROCEDURE

The procedure in the Misdemeanants' Division is very much simplified. The trials are summary and conducted the same as in a Magistrate's Court. Although the Municipal Courts Act<sup>2</sup> provides that the District Attorney shall prosecute the cases, this is done only in the Criminal Division, and not, at present, in the Misdemeanants' Division. The absence of a trained lawyer for the prosecution places the state at a disadvantage, and the judge frequently has to fill in the gap by examining the witnesses. The trials are expeditious, as many as 40 cases were tried or given a

<sup>1</sup> See Table 6 in the Appendix which cites disposition of cases of sex delinquency only, the figures for such having been taken from the Municipal Court Report, 1920.

<sup>2</sup> Sec. 15716, Penn. Stats. 1920: "It shall be the duty of the District Attorney of said County to prosecute all cases in which prosecutions have been begun in the Municipal Court . . . or which are exclusively triable in the Municipal Court . . . or which the District Attorney elects to try in said Court."

preliminary hearing in the course of a half day. In fact the trials are so rapid, that it is sometimes difficult to distinguish a trial from a preliminary hearing.

But very few of the defendants are represented by counsel. Of the 100 or more cases observed in court, not more than three per cent had counsel. It is difficult to account for this unless the defendants who appear in this court, and to a large extent impecunious. This may be true as to the street-walkers who number about 30 per cent<sup>1</sup> of all the defendants. About 30 per cent of all defendants are incorrigibles and runaways, the majority of whom are brought in upon complaint of parents or relatives, these are not very hotly contested. The defendants who are charged with keeping a bawdy house are more apt to have counsel, but inasmuch as only preliminary hearings of such cases are held in this court, counsel may not appear until they reach the Criminal Division. This dearth of counsel probably accounts for the fact that habeas corpus suits are practically unknown. It also explains, perhaps, why there appear to be no contests of the practice of finger-printing, physical examination, etc., before trial, rather than after conviction. The court sits three times a week, on Mondays, Wednesdays, and Fridays. A history sheet of all the defendants is prepared by the probation department, showing in the case of the women the following facts:

Number of case; name of defendant; charge; date of arrest; previous convictions, if any, with dates; whether or not venereally diseased; religion (as a guide in case of commitment to a private institution); whether living alone, with family, etc.; whether employed or not.

The object of this is to inform the judge, after conviction and before sentence, of certain extraneous facts regarding the defendant which will guide him to an intelligent disposition of the case. This is really in the hands of the judge *before* conviction rather than *after*. From observations spread over a period of half a dozen different days and of two different judges, there were no

<sup>1</sup>Sixth Annual Report of the Municipal Court of Philadelphia, 1919, p. 125.

indications that the advance knowledge of these facts prejudiced the judge in any way. The practice, however, of thus making information available to the court *before* trial is objectionable from a constitutional standpoint. It opens the door to criticism of the fairness of decisions, regardless of how fair or just they may be. The practice, however, of placing such information before the judge *after* conviction and *before* sentence is highly commendable. It is the only practicable means by which the judge may secure such information as may permit him intelligently to dispose of the case. It was observed that the judge generally based his disposition of the case upon the facts thus submitted.

The procedure followed, stated briefly, is: Witnesses are sworn jointly; no formal pleas are received; police officer testifies as to facts which are corroborated by brother officer. This generally constitutes the state's case. The defendant then testifies herself, or her witnesses present their testimony. Rarely is defendant represented by counsel, and when not represented, she frequently is questioned by the judge, if she does not elect to testify. The court's decision is then rendered, and disposition is made.

#### ILLUSTRATIVE CASES

The following cases are illustrative, observed over a period of about six court-days, before two different judges:

M. W., colored. Charge—disorderly street-walker. Not represented by counsel. White vice squad officer testified that she solicited him from the porch of a house while he was in the street, for the purpose of prostitution; that he entered the house with her and she offered to commit prostitution for the sum of \$1.50, whereupon he placed her under arrest, which she resisted. His testimony was not corroborated. She was questioned by the court and denied that she had solicited the officer, or offered to commit prostitution, but admitted that she resisted arrest. Her social history sheet showed no previous record and her medical examination showed her to be negative. She was convicted and given a sentence of 18 months in the house of correction.



E. S., colored. Charge—disorderly street-walker. J. R., white, a man about fifty years old—charge, disorderly conduct. Neither represented by counsel. Colored vice squad officer testified that he observed E. S. accost J. R. on the street; that J. R. went with E. S. and he followed them; that he waited outside the house about fifteen minutes where they had entered and then entered and found them in bed together. Both were convicted. The history sheet of E. S. showed her to be negative and without a previous record. She was sentenced to six months in the house of correction. J. R. said he was married, had three children and earned \$22.50 per week in the shipyard. He was fined \$10 and costs.

A. K. and C. H., white. Charged with being disorderly street-walkers, and J. W. and H. C., white, males charged with disorderly conduct. Not represented by counsel. Statement was made that the two women had not yet been physically examined and the case of the women was continued for two days, without bail, for examination. The two men were discharged without trial.

E. S., E. F., and M. T., all white, charged with being disorderly street-walkers. J. E., J. Y., and J. H., males, white, charged with disorderly conduct. Two vice squad officers testified that they saw them get out of an automobile and enter a rooming house together; that later they followed them into the rooming house, which they stated had a bad reputation. They found J. E. in bed with E. S. He was fined \$10 and costs and the case of E. S. was continued for physical examination. J. Y. was found in bed with E. F. He was fined \$10 and costs and the case of E. F. was continued for physical examination. J. H. and M. T. were found in a room together but fully dressed sitting on a bed. He had an empty suit case with him. Both were discharged although she had not yet been examined. J. E. and J. Y. were university students.

H. W., colored. Charge—disorderly street-walker. S. Y., white, charge disorderly conduct. Patrolman testified he observed H. W., whom he believed to be a common prostitute, accost S. Y. on the highway; that he followed them to a house which he entered a few moments later, finding them in bed together. H. W. did not testify and the man stated that he had gone there to get a drink. The woman ran a rooming house and had spent two years in the county prison for larceny. She was given three months in the House of Correction and the man fined \$10, and costs.

N. W., white. Charge—disorderly street-walker. Vice squad officer testified that she solicited him on the street for the purpose of prostitution and that he had seen her at other times solicit other men. Preliminary investigation showed that she was living with a man to whom she was not married and that she was not employed. Medical examination showed her to be venereally diseased. She was given three months in the House of Correction.

M. B., white. Charge—disorderly conduct. Vice squad officers testified that they had seen her walking the streets before; that they saw her accost a man and that when they approached them the man escaped. History sheet showed the girl to be negative physically, but showed that she had previously been on probation from another court for larceny. Probation officers had got in touch with her family in Massachusetts, who agreed to take her back. She was therefore discharged on the condition that she return to Massachusetts.

A. R., white. Charged with frequenting disorderly house. Had already pleaded guilty and been given a sentence of six months in the House of Correction about a week before. She appeared in court with her father, who stated that he wished to take her home and her case was called up for re-hearing. In response to the plea of the father the court released her on probation on condition that she stay at home. She had no previous record and was not diseased.

E. G., white. Charged with disorderly street-walking. Admitted charge. Her record shows nine previous convictions. Also had record of being a drug addict, drugs being smuggled to her while she was at the Gyncecan Hospital. Twice before committed to House of Correction and three times previously put upon probation. She was given a sentence of six months in the House of Correction.

E. C., colored. Charged with disorderly street-walking. Officer testified that she solicited him on the street and took him to a disorderly house where she offered to commit prostitution. Woman denied the claim and stated that she was being hounded by the officers. Her record showed nine previous convictions, two sentences to the House of Correction and four times placed on probation. Once she had been committed to the venereal ward of the Philadelphia Hospital, She had no work record but her examination showed her negative. She was placed on probation for one year.

Twenty-seven other cases of disorderly street-walkers were observed, nine other cases in which the woman was charged with disorderly conduct, and twenty-three cases in which the man was charged with disorderly conduct. The enumeration of these cases would be very much of a repetition of the foregoing. An example or two of cases giving preliminary hearing will be cited.

The most frequent cases of the kind are keeping a bawdy house and being an inmate or frequenter of a disorderly bawdy house:

A. E., white. Charge—keeping a bawdy house. Was married to a sailor who appeared in court with her. Had one child. Not represented by counsel. Officer testified that he had observed the place for about two years and that it had a bad reputation. A couple who had been arrested there at the same time as A. E. had been previously convicted of frequenting and being inmates of a disorderly bawdy house. During the course of the officer's testimony the fact appeared that he had made the arrest without a warrant. When the judge discovered this he severely reprimanded the officer for arresting without a warrant and discharged the defendant. This case indicates that jump raids<sup>1</sup> will not be countenanced in Philadelphia. Three sailors who had been arrested in the house of A. E. charged with frequenting a disorderly bawdy house, were discharged.

M. D., white. Charge—keeping a bawdy house. Represented by counsel. Police lieutenant testified that she had run a bawdy house to his knowledge for three years. On cross examination by the attorney for defense he stated that he had permitted it to run that length of time without taking action against it on the excuse that he was "waiting to get it right." The complainant in the present case, who was a university student, testified that he had visited the place three times, twice alone and each of the two previous times had had intercourse with P. G., an inmate of the house, and that after the second visit he had become infected with gonorrhea; that he made the third visit after becoming infected, with members of the vice squad, after he had sworn out a warrant. Two of the officers testified that the madam did not let them in at first, saying that she could not accommodate three at once and that "they would have to go to an-

<sup>1</sup> A jump raid is one in which a place is entered without a warrant and arrests are made on the theory that a crime is being committed.

other bawdy house." She let the student in, however, and they came back later. She permitted them also to enter, and they further testified that they heard her urge the student to hurry and go upstairs with P. G. The madam was bound over to the grand jury under a \$1,000 bond, and the girl inmate was bound over as an inmate under a \$500 bond. Curiously enough the medical examination showed her to be not infected. The student was not arrested. The Court reprimanded him and said that he had as much of a right to punishment as the prostitute. The student claimed that he was taking treatment with his own doctor and was permitted to go with a word of advice by the Court.

Seven other cases were observed of the hearings for keeping disorderly houses or facts very much similar to those above stated. The cases of 16 persons charged with being inmates or frequenters of a disorderly bawdy house were observed. From the facts in the cases of the girls charged with being incorrigible or runaway children, it was apparent that the large majority were sex delinquents. The record of one girl arrested showed ten previous arrests for incorrigibility and violating probation. Each re-arrest showed her to be re-infected with venereal disease although she had been held each time in the Gyneccean Hospital until non-infectious. The case mentioned E. F., in the phase of this previous record, was discharged on the condition that she return to her mother in order to get married.

M. F., whose last charge had been that of disorderly street-walker, had a record of four previous arrests as being a runaway. She had been placed on probation each time. A preliminary investigation showed that she had had two recent abortions. She was found to be diseased and was committed to the Gyneccean Hospital for treatment.

One young girl, M. N., had had two previous arrests for being a runaway. She had violated her probation each time and in her last arrest was taken in the company of one N. B., a boy about 21 years of age, who, she testified, had raped her just previous to the arrest. She became hysterical in court while she described the attack upon her. She was committed to the House of Good Shepherd much against her will, and N. B., who, she claimed, was guilty of rape, was held under a \$300

bail on the charge of fornication and contributing to the delinquency of a ward of the Court.

One interesting case was observed in which the defendant, a colored woman, was charged with violating her probation, appeared in court with a perfectly white baby which she claimed was her own by a Jewish man who had made a cash settlement to be released from a bastardy prosecution. She was discharged upon her promise to join this man in Bethlehem.

#### PHYSICAL ASPECTS OF THE COURT AND DETENTION FACILITIES

Reference has been made to the building at Twelfth and Wood Streets and its special court for dealing with sex delinquents. While, as has been pointed out, the jurisdiction of the court itself is limited to certain classes of sex offense, the activities of departments housed in the same building extend to a far greater number, for women arrested on a charge of sex delinquency usually are taken at once to this building and slated. Those who do not succeed in making bail are detained in special quarters on the upper floors and on the following morning pass through a routine procedure of finger-printing, physical and mental examination, and investigation by a probation officer. Those released on bail report the next morning and undergo the same treatment.

Before entering into detail regarding the functions of these special departments, it may be well to describe their physical aspects: The building at Twelfth and Wood Streets, a remodeled, three-story stone schoolhouse, stands in the heart of the former red-light district. The Women's Misdemeanants' Division moved into this building in April, 1917. On the first floor are the court room, administrative, probation, and deputy sheriff's offices, and cells for men and women. Detention quarters for women 21 years old or over are provided on the second floor. Here also are the head matron's apartment, laboratory, and offices of the medical, psychological, identification, and clerical departments. The third floor is reserved as a place of detention for girls between the ages of 16 and 21. The basement of the building contains in addition to heating plant, etc., a laundry where the work is done by the girls awaiting trial.

Discussing the various features of the building in turn, it is noteworthy that admission to the court room is restricted to those having a direct interest in the proceedings. Mere onlookers are barred. Witnesses and persons on bail await the call of their cases in an ante-room. Those detained are brought down from the upper floors and seated in a lighted corridor at the rear of the court room. As their cases are called, a matron in charge turns them over to the tipstaff. Defendants and witnesses are then lined up before the judge at a distance of approximately twelve feet. In the intervening space sits a row of men, officials and clerks of the court, who face the defendants and witnesses. As the girls reply to questions and relate their stories, they must look across this battery of men's faces, in many instances undoubtedly a source of genuine embarrassment. A trained nurse is present at all trials to quiet hysterical outbreaks. The whole procedure of the court is quiet, orderly, and businesslike.

Built into the court room and waiting rooms are a number of tiny offices, one for each probation officer. Although small, these offices at least insure privacy in interviews—a desideratum too commonly overlooked.

Immediately adjoining the court room is the office of the chief administrative of the Misdemeanants' Division. Just beyond and adjoining his office is the office of the court representative and case supervisor. At the rear of the court room is a large record room, where steel lock-files containing full histories of every girl or woman brought to the court are kept. Records of the men arraigned in this court are kept at the Misdemeanants' Division for Men at 220 North 20th Street. An elaborate card record and file index stand in this room. Back of the record room is a corridor with four cells for women. It was stated by the deputy sheriff, matron, and others that these are used only in rare instances, sometimes when drug addicts or others become violent. Girls are placed in cells only on demand of the superintendent of the Detention House. In the course of frequent visits to the court throughout a stay of several weeks, the investigator never saw them occupied.

On a separate, non-communicating corridor are cells for men. Men are not detained here over night, but are transferred from jails all over the city each morning. The deputy sheriff, whose office is on this floor, locks several men in each cell and releases them to the tipstaff as their cases are called.

The detention quarters for girls and women on the second and third floors, deserve a special word, for here arrested women may await trial in sunny and immaculately clean surroundings. The house accommodates about 50 women. The older women, from 21 up, are confined to the second floor in a 34 bed dormitory, large, light, and airy. Adjoining is a lavatory with toilets, basins, and showers. Food, sent down from the third floor, is served in an open space at one end of the dormitory. At the other end, across a corridor, are two isolation rooms for the use of girls in an infectious stage of disease. The superintendent's strict adherence to schedule insures sanitary conditions at all times. Not only are closets, floors, and furniture cleaned regularly, but every Thursday (as the writer frequently noted) the mattresses are vacuum-cleaned and the beds sprayed. Linen is changed for each new occupant and fresh nightgowns given the girls twice a week, if they are detained that long. On entering the Detention House, the girl is stripped, given a shower, and her scalp is cleansed. She then receives fresh house clothing, a complete change, with the exception of shoes and stockings. Her own outer garments are hung in large paper "moth-bags" and her underclothing sent to the basement laundry. When a girl is found to be in an active state of disease, her clothing is sterilized. Frequently certain preliminary examinations are made by trained nurses when the girl is brought in during the night. The chief object of these examinations is to detect drug users in order that they may be ministered to promptly. The girls, besides caring for their own floor, clean the downstairs offices under the supervision of a matron. They work also in the laundry. These duties do not consume all their time, however, and regular employment or recreation is not provided.

The younger girls on the third floor, while accorded the same

routine treatment and given the same employment as the women on the lower floor, enjoy more privileges and better accommodations. A large living and recreation room, simply and attractively furnished in upholstered "mission" style hardly suggests forcible detention. A reading table, piano, victrola, large rug, and cheery skylight all contribute to a homelike atmosphere. Opening into this room are five small rooms, four of which are bedrooms containing three beds each, the fifth serving as a sewing room. Across one of the corridors is a seven-bed dormitory with three windows. The girls on this floor have a private dining room with a somewhat formally set table. At one end of the floor is a kitchen where meals are prepared by a paid cook, a colored woman. Only rarely are detained girls allowed to help in preparing the food. The cook is assisted by a young white woman brought into court a few years ago and found to be feeble-minded. Work under constant supervision was recommended for her, but instead of committing her to one of the state institutions for the feeble-minded, she was detailed to the task of cook's assistant in the Detention House. Not only was her work highly praised by the matrons, but kitchen and equipment reflected constant care.

After 4:30, the girls may dance, sing, play games, or amuse themselves in other ways. The building has a roof-garden used by the second and third floor groups, each using opposite ends of the roof. Occasionally the older women are allowed to use the recreation room on the third floor, but always under supervision, and without being allowed to mingle with the younger women. In regard to the importance of segregating the younger girls from the "older and more hardened offenders," the superintendent seemed skeptical. If segregation is essential to safeguarding of morals, she feels the older women need to be saved from the younger rather than the reverse! The third floor group is taught hemming and crocheting. Although dresses, kimonas, undergarments, towels, wash cloths, and bed linen, etc., are made for house use, very little of the sewing is done by detained girls. One of the matrons, who also acts as sewing instructor, claims that the girls are there so short a time that it is hardly possible



to train them properly and experience showed the wastefulness of entrusting to them material to be made up for use. Most of this sewing, therefore, is done by the instructor and matrons.

The Detention House has a staff of 13 matrons working in eighteen-hour shifts. Only two of these, the superintendent and her assistant, are resident. The superintendent's apartment is on the second floor and her assistant's on the third.

The superintendent estimates the daily average number of detained girls to be 45. The house does not take babies or girls under 16. The Travelers' Aid and other private agencies sometimes send girls there for "protection" or investigation.

On the day of our interview with the superintendent, February 3, 1921, there were 31 girls in the Detention House, 27 white and 4 colored.

On the second floor:

Protection. . . . .	3*
Violation of probation. . . . .	6
Runaway. . . . .	1
Vagrancy. . . . .	1
Disorderly conduct. . . . .	3
Disorderly street-walking. . . . .	5

---

Total. . . . . 19

\* One awaiting deportation by the Immigration Bureau.

On the third floor:

Protection. . . . .	5
Violation of probation. . . . .	4
Runaway. . . . .	1
Incorrigible. . . . .	1
Runaway and incorrigible. . . . .	1

---

Total. . . . . 12

As a rule, the superintendent stated, girls are detained only two or three days, although occasionally they may be kept for a longer period. She cited the case of one girl held as a witness since November 12, 1920. Sometimes, too, she explained, girls in need of hospital treatment might be held there and treated while awaiting a vacancy at the Gyncecan Hospital. Of 635

cases admitted to the Detention House during the first three months of 1920, 30.3 per cent were disposed of within three days.

In certain cases, girls for whom the probation department is seeking work may remain until suitable employment is found. Girls detained but a single day usually are bail cases who did not succeed in making bail the night of arrest.

Table 15 in the Appendix compiled from the superintendent's record book shows the number of days each girl or woman admitted during the first three months<sup>1</sup> of 1920 remained in the Detention House. Of the 636 cases admitted, 87.6 per cent were detained ten days or less. Only 4.7 per cent were held more than 30 days. The same group is classified according to age and color in Table 14.

#### IDENTIFICATION BUREAU

The Finger-print Bureau of the Women's Misdemeanants' Division is said to make finger-prints of all arrested women brought to the Detention House who are 21 years of age or older, and to use its discretion in finger-printing those under 21. During the year 1920, of 1736 women arraigned in this Division, 1479 were finger-printed.<sup>2</sup> In our study of 50 cases placed upon probation during the first six months of 1920, it was found that 17 of that number, all under 21 years, were not finger-printed. These cases are more fully discussed on page 62. It will be noted that for the year 1920, only 14.8 per cent of the women arraigned in this court (for all offenses) were not finger-printed. Whereas, among the 50 sex offenders placed on probation, 34 per cent did not have their finger-prints taken. Of the 1479 women finger-printed, 695 were identified as old offenders. Copies of all finger-prints taken (except those of runaways) are sent to the Bureau of Police which in turn files, with the Identification Bureau of the Court, duplicates of all women's finger-prints.<sup>3</sup>

<sup>1</sup> In the time allotted, it was not possible to cover the six-month period.

<sup>2</sup> Seventh Annual Report of the Municipal Court of Philadelphia, 1920, p. 137.

<sup>3</sup> *Ibid.*

## PHYSICAL EXAMINATION

Prior to 1917 only a limited number of women misdemeanants were examined physically. But with the occupancy of the building at 12th and Wood Streets in April, nearly every case coming before the court was given a routine physical examination. Although medical service was available in certain branches from the time the Municipal Court was established, no definite unified plan was worked out until 1917, when a group of prominent local physicians at the request of the president judge drew up a plan whereby persons appearing in court could be studied both physically and mentally, with the aim, as stated in the annual reports, of making diagnosis the basis of substantial justice. In Philadelphia, as elsewhere, the mobilization of the army served to emphasize the gravity of venereal disease as a public-health problem. The body of physicians called in consultation mapped out a plan of medical service extending to all divisions of the Municipal Court handling misdemeanants or criminals. To conduct this on the scale contemplated required a large staff of physicians and nurses. For the Misdemeanants' branch it provided first of all for a complete physical examination of women, before conviction, including the taking of smears and blood specimens. No legal authority could be found, either in the statutes or court-reports, for the practice of examining defendants physically before conviction. No record could be found of any contest of this procedure by writ of habeas corpus. Somewhat later, in October, 1918, the Gynecean Hospital, formerly a private sanatorium for women, receiving a state subsidy of from \$25,000 to \$50,000 annually, was reorganized to treat exclusively girls and women having venereal diseases. Owing to the influenza epidemic, however, it was not put to this use until the following January. It is stated in one of the annual reports of the Municipal Court:<sup>1</sup>

Not only has the Gynecean Hospital been a great factor in the social service division of the court, but by concentrating on a few phases of the venereal-disease problem, scientific progress has been made which

<sup>1</sup>Fifth Annual Report of the Municipal Court of Philadelphia, 1918, p. 3.

will be presented when its value has been more fully demonstrated. Under the direction of Dr. Penrose, a system of tabulation of medical data has been established, which will doubtless yield some interesting facts concerning the medical diagnostic work of 1919.

This view was emphasized by the medical superintendent of the hospital who feels that the experience and observations of the medical department in treating diseased delinquent women will enable the court to make a definite scientific contribution in this field.

At the time of our study, two women physicians had offices in the Detention House, one who is also a psychologist, giving her entire time to the making of routine medical examinations of women brought there and to testing mentally cases referred to her by the psychiatrists. The other physician, in addition to making pelvic examinations of women brought to the Detention House and directing the taking of blood specimens and smears, acts as medical director of the Gyneccean Hospital.

Usually within 24 hours of sending smears and blood specimens to the laboratories maintained by the Municipal Court, results are reported to the medical department and recorded on forms provided for each case. If the girl is found to have a venereal disease in an infectious stage, she is either committed at once to an institution, where she receives proper treatment, or sentence is deferred until she has been rendered non-infectious at the Gyneccean Hospital. She is then returned to court to receive sentence on the charge lodged against her. She may be discharged outright, placed upon probation to report for medical treatment, or disposed of in some other way. The incidence of venereal disease among women arraigned in the Misdemeanants' Division during the first six months of 1920 is discussed on page 78. Of the 455 women who were found to be infected with a venereal disease, 117 were committed to the Gyneccean Hospital.<sup>1</sup>

<sup>1</sup> Table 37 in the Appendix shows the disposition of 1941 cases of women arraigned in the Misdemeanants' Division (for all offenses) during the year 1920 in relation to incidence of venereal disease. The Seventh Annual Report of the Municipal Court for 1920 contains on p. 129 the following statement regarding

Information regarding the disposition of the remaining 338 diseased women was not readily available. A special report concerning 166 women and girls discharged from the Gynecean Hospital during the last six months of 1920, shows the following dispositions upon their return to the Misdemeanants' Division:

Detained at 12th and Wood Streets.....	5
Referred to the Juvenile Branch.....	7
Returned to authorities in Lancaster, Pa.....	1
Philadelphia General Hospital. . . . .	2
Returned to parents out-of town.....	2
Discharged. . . . .	2
Probation to leave town.....	10
Probation continued. . . . .	1
Probation to report for medical treatment.....	71
Probation.....	42
Door of Hope.....	1
House of Correction.....	11
House of Good Shepherd.....	8
Sleighton Farms. . . . .	2
State Reformatory for Women, Muncie.....	1

---

166

At the Gynecean Hospital, the infected girl receives regular treatment until the medical director pronounces her non-infectious, or until local lesions disappear. Before a case of gonorrhea may be discharged, the smear from the uretha and vagina, taken once every two weeks for three consecutive times, must be negative. At the end of this six-week period, gonococci may still be present in the cervix. In this case, she is returned to the court with the recommendation that she be placed upon probation to report for medical treatment at the State Dispensary.<sup>1</sup>

---

this table: "Of the 993 infected cases disposed of during the year, 32 per cent were committed to the House of Correction, 25.8 per cent were committed to the Gynecean Hospital, 15.1 per cent were placed on probation with medical supervision, 8.7 were placed on probation, 7.8 per cent were discharged, and 10.7 per cent were disposed of in various other ways. It should be borne in mind in this connection, however, that there may be factors other than venereal-disease infection involved in individual cases which determine their disposition."

<sup>1</sup> Until July 1, 1920, the court had its own clinic, but from that time on it has been sending ambulatory cases to the State Dispensary.

To be discharged from the State Dispensary, the girl must show at least three consecutive negative smears taken two weeks apart. In cases of acute syphilis, five full-dosage injections of arsenobenzol or their equivalent, followed by a mercurial treatment, covering as many days as necessary, are required. Syphilitics are held in the hospital from five to six weeks. They must be rendered innocuous before discharged.

Frequently, continued treatment at the State Dispensary is ordered and made a condition in placing the girl on probation. The Dispensary is said to require two consecutive Wassermann negatives, taken a month apart, before discharge.

By permission of the medical director, we inspected the Gyncean Hospital, a remodeled, four-story private dwelling with doors locked and windows barred in consequence of many escapes during its early occupancy. One is impressed immediately by the absolute cleanliness of the building and by its large, sunny rooms. The superintendent's office, the dining room, kitchen, and pantry are on the ground floor. The three upper floors contain each a fourteen-bed ward, and, in addition, three rooms with three beds each and one isolation room—the hospital accommodating 62 girls in all. On the day of our visit the count was 51. Syphilitics are usually confined to the fourth floor. Nurses' quarters, linen closets, etc., are on the second floor. A single room is provided for each nurse. On the same floor the girls have a recreation and living room. If space at the Gyncean is not available, the girl may be held temporarily at the House of Detention and receive treatments there or she may be sent to the Philadelphia General Hospital under a detainer insuring her return to court at the completion of treatments. Pregnant girls are not detained at the Gyncean after the seventh month, but are also sent to the Philadelphia General Hospital under detainers. Colored girls are not admitted to the Hospital. If a colored girl has a venereal disease in an infectious stage, she is usually committed to the House of Correction and treated there.

The Hospital plant and the control of the patients are under

the management of a nurse-superintendent. She employs seven maids who, in addition to their regular duties, supervise the laundry work and wait on the table. The medical director confines her supervision strictly to examination and treatment. She is assisted by two doctors and six trained nurses. The latter work in ten-hour shifts.

The patients are called at 6:30 daily and have breakfast at eight. They are taught the elementary principles of hygiene and sanitation and the nature of infection, with special reference to body sores. Instruction is given in sewing and fancy-work. They learn how to sterilize and repair rubber gloves and to assist the nurses in certain of their duties. They are required to make their own beds, clean floors, set table, and assist in cooking. Medication is administered daily.

The Hospital receives patients from the Juvenile as well as from the Misdemeanants' Division. The superintendent frequently finds those from the former court more difficult to handle than the "hardened" prostitutes. According to her statement, older women often complain of "the lewdness of girls from the Juvenile Court." She claims to have many feeble-minded persons "who are not sufficiently deficient to commit."

Because of the practice of reporting for the fiscal rather than the calendar year, it was not possible to secure from the Gyneccean Hospital a statement showing admissions and discharges for 1920 or for the first six months of that year. Figures for two other periods, however, show something of the volume of its work. In the Thirty-third Annual Report for the fiscal year ending May 31, 1920, the medical report contains the following statement:

Number of patients in hospital June 1, 1919.....	53
Number of patients admitted to hospital to May 31, 1920.....	316
	<hr/>
	369

For

Syphilis. . . . .	30
Gonorrhea. . . . .	242

Gonorrhea and syphilis.....	96
No venereal disease.....	1
	<hr/>
	369

Average number of days in hospital of women with the following diseases:<sup>1</sup>

Syphilis. ....	43 days
Gonorrhea. . . .	65 days
Gonorrhea and syphilis.....	44 days

In a similar report for January 1, 1920 to October 1, 1920, the Hospital shows:

Number of patients in hospital, January 1, 1920.....	59
Number admitted from January 1, 1920 to October 1, 1920.....	227
	<hr/>
	286

For

Syphilis. ....	14
Syphilis and gonorrhea.....	77
Chaneroid and gonorrhea. . . .	1
Gonorrhea. . . .	192
No venereal disease. . . .	2
	<hr/>
	286

Reference has been made to the practice of placing upon probation to receive medical treatment girls who have a venereal disease in a non-infectious stage. For the purpose of supervising these girls more closely and of seeing that they take their treatments regularly, a trained nurse on the medical staff of the Misdemeanants' Division, with special experience in cases of venereal disease, received a special appointment for this work in November, 1920. The Medical Department furnishes her with

<sup>1</sup> In the report on 166 cases already referred to, it was found that 123 women were infected with gonorrhea, 12 with syphilis, and 28 with gonorrhea and syphilis; the remaining three were free from infection. The average period of detention for cases of gonorrhea was 58 days; for syphilis, 35; and for gonorrhea and syphilis, 57. The record shows nine cases of gonorrhea detained from 70 to 80 days; seven from 81 to 90. and eleven from 91 to 161 days. Two cases of syphilis were detained 59 and 62 days, respectively. Those infected with both diseases show prolonged treatment, as follows: two, for 73 days; one, for 91; and one for 92 days; and one, for 126 and one for 154 days.



the names of those required to report. On the day of our interview, the record showed that, commencing with November, 1920, 250 cases under her supervision were reporting. There were no figures showing the number who failed to report. Three times a week, this nurse checks her list<sup>1</sup> at the State Dispensary which she visits at the hours when the girls are most likely to report<sup>2</sup> in order that she may talk with them, keep them interested in their treatments and alive to the importance of continuing them. This nurse enters in her record the name, address, court number, and finally, the dispensary number of each girl required to report for treatment. The clinic nurse notes the date of each treatment given and the date when the girl is instructed to report again. This information is then sent to the court nurse and entered upon her book-record, which, according to the plan at the time of our study, is eventually to be turned into an alphabetical card record in order to facilitate follow-up.

After describing the reorganization of the Gynceean Hospital, the annual report<sup>3</sup> of the Municipal Court for 1918 states further:

At the same time, arrangement was made with the State Department of Health for the treatment of men found with venereal diseases. These men include those arraigned with street walkers in the Women's Misdemeanants' Court and young men between the ages of 16 and 21. . . .

Apparently the opinion prevails among court officials interviewed early in 1920 that men known to have consorted with infectiously diseased prostitutes are given a physical examination and required to report regularly for treatment. This impression does not seem to be borne out, however, by figures secured from the Probation Department. These show that in the first six months of 1920, seven men were found to be diseased of whom three re-

<sup>1</sup>The Dispensary gives no certificates showing treatment has been taken or person has been cured.

<sup>2</sup>Wednesdays and Fridays, at one; Tuesdays, at seven.

<sup>3</sup>Fifth Annual Report of the Municipal Court of Philadelphia, 1918, p. 3.

ported for treatment. During the same period, 117 women were committed to the Gyneceean Hospital because they had a venereal disease in an infectious stage. No records are available to indicate how many men are examined and no statement could be procured with reference thereto. It is evident, however, that a routine examination of male offenders is not being made.

#### MENTAL EXAMINATION

Toward the close of 1917, the court began to enlarge its facilities for mental examination. To this end it created a neuropsychiatric division as a special branch of the medical department, placing it under the direction of Dr. Samuel Leopold who served as division psychiatrist in the United States Army and as chief medical examiner of the New York Guard at Camp Wadsworth. Dr. Leopold is assisted by two psychiatrists and a psychologist, who, like himself, give part-time service to the Municipal Court, filling irregular assignments at the House of Detention in such a way that one or the other is on duty there each day. At present, they operate in the Men's, Women's and Juvenile Divisions of the Municipal Court, although Dr. Leopold plans to extend their activities to the Domestic Relations and Criminal Divisions.

At the time of our study this department was making about 400 mental examinations a month for the whole Municipal Court, whereas formerly the average was about 30 a month.

The Psychiatric Department aims to make a routine preliminary mental test of all cases brought to the Women's Misdemeanants' Court and to set aside for intensive mental study any who seem to require it. Occasionally, however, when girls are brought to the Detention House on a night preceding one of the court days (Mondays, Wednesdays, and Fridays) their cases may be called before the examination can be given. It is claimed by the director of this department that in the course of a fifteen-minute conversation with each girl he and his associates can pick out the feeble-minded, drug addict, psychopathic, psychoneurotic, etc. The girl is asked why she was arrested, at what grade

she left school, whether she has been running around with boys, whether she has ever received treatment for nervousness in a hospital, whether she is subject to fits or spells, whether she is a drug user, and similar questions designed to draw her out in such a way as to indicate her mental trend—to show whether she talks connectedly and logically or whether she is excitable, emotional, etc. A stenographer who is present at these interviews takes down the girls' statements, although not strictly verbatim. At the close of the morning's interviews, the visiting psychiatrist dictates a summary of his estimate of the mental make-up and personality of each girl examined. If further investigation seems necessary, a psychiatrist other than the one conducting the preliminary inquiry is requested to make an intensive study and in certain instances a mental test by the court psychologist may be required.

According to a statement furnished by the director of this department, 785 girls and women received a preliminary psychiatric examination during the first six months of 1920. Of these, 246 were given the psychometric tests.

The director also stated that up to the time of our study, the chief function of the department had been to diagnose, to make recommendations for commitment, and to prevent certain unsuitable types from being placed on probation. While the existence of the department indicates that theoretically, at least, its value is recognized by officials of the court, there is little evidence in practice that weight is attached to its findings or recommendations. No separate study of the records of this department was made, but in reviewing the case histories of 50 probationers, attention was given to the psychiatrists' and psychologists' reports, which form a part of the defendant's record. The results of our examination of these mental histories are stated on pages 59-62, in the section relating to Probation.<sup>1</sup> Table 5 in the appendix, shows the mental condition of women sex offenders arraigned in the Misdemeanants' Division during the first six

<sup>1</sup>The relationship of the department to the court is also described in detail in connection with the discussion of the 50 cases.

months of 1920. This table is discussed on page 78. From Table 34, in the appendix, it will be seen that of 1941 women's cases arraigned in the Misdemeanants' Division in 1920 (for all offenses), 1602 (82.5 per cent) were examined. Of these, 1040 (64.9 per cent) are reported normal.

After extended inquiry, through personal interviews and correspondence, it is impossible to state how many defendants arraigned in the Women's Misdemeanants' Division were pronounced mentally deficient and in need of custodial care. Nor could we learn for what number (if any) application for commitment to one of the state institutions for the feeble-minded was made and how many of these were admitted or declined. The opinion generally voiced by court officials was that such institutions had long waiting lists but no instances of rejected applications were cited. The chief physician of the State Institution for the Feeble-minded at Spring City, which cares for mental defectives from six years up, writes that the capacity of that institution is 1200, but for a long time they have been able to admit patients only as vacancies occur, and that they maintain an official waiting list from which admissions are made. Pennsylvania Village for the Feeble-minded, a comparatively new institution at Laurelton, excludes "epileptics, bed-ridden cases, those suffering from active venereal disease, girls who are pregnant, violent or very troublesome cases, mental defectives of the real criminal type, colored girls, and those over 30 years of age."<sup>1</sup> As these are the only two institutions receiving feeble-minded persons in the eastern district of Pennsylvania it is evident, in view of the limitations pointed out by their officials, that possible needs of the Women's Misdemeanants' Division can hardly be adequately met.

#### PROBATION

That the Probation Department constitutes a vital factor in the treatment of women misdemeanants in Philadelphia is evidenced in various ways. Its officers are said to interview every

<sup>1</sup>Letter from superintendent of Pennsylvania Village.

individual brought to the Detention House by the police or referred there by social agencies, and prior to any girl's arraignment in court, they attempt to verify her statements. It reviews and crystallizes the findings of all other departments connected with the court as a basis for its own recommendations to the judge. Its 24 officers and clerical workers, constituting 34.6 per cent of the entire personnel of the Women's Misdemeanants' Division,<sup>1</sup> far exceed in number those employed in any other single department of the Division. In the year 1920, 33 1-3 per cent of the 1941 cases of women and girls arraigned in this court (for all offenses), and 50 per cent of the 1292 convicted, were placed on probation.

In view of the wide divergence of opinion regarding the efficacy of probation as a remedial measure in dealing with adult offenders of this type, the extended use of the system in the Philadelphia court seemed to offer an exceptional opportunity for study. Because of the detailed case histories and reports kept by the Women's Misdemeanants' Division, it was apparent that definite data could be gathered not only relative to the social status and medical, court and other records of probationers, but specific information might be secured concerning the practices of the probation officers in regard to the frequency of their visits to the girls' homes or places of employment, the extent to which they were able to secure first-hand knowledge of their conduct, type of supervision and the nature of service rendered.

<sup>1</sup> The personnel of the Women's Misdemeanants' Division at Twelfth and Wood Streets in January, 1920, was classifiable as follows:

Assignments	Executive	Clerical	Total
Probation Department.....	16	8	24
Medical Department. . . . .	6	3	9
Neuro-psychiatric Department.....	3	1	4
Detention House. . . . .	11	2	13
Bureau of Identification.....	1	1	2
Court-room. . . . .	..	6	6
Deputy Sheriff's Office.....	5	4	9
Attached to Quarter Sessions Court..	..	2	2
Total. . . . .	42	27	69

While recognizing certain inherent difficulties involved in any attempt to gauge the merits of probation as a means of reformation, and while experience would seem to indicate that women sex delinquents as a class possess certain characteristics that render them less responsive to ameliorating influence than other types of offenders, it appeared, nevertheless, not improbable that some estimate of the workings of the Philadelphia system of probation might be formed. In the last analysis, short of hourly knowledge of the activities of a probationer, claims of reformation advanced by the officer must be discounted. Even if accepted at face value, they must be with the mental reservation that such is the girl's status to date. Needless to say, if the girls whose cases were studied could be followed up over a period of five, ten, twenty years, many revisions of judgment, upward or downward, would undoubtedly have to be made. At least a partial measure of their improvement would be whether they succeeded in keeping out of the local courts. If probationers join the ranks of recidivists, it is evident that for them the system was unavailing. Unfortunately, because of the conditions indicated, one may more justifiably dogmatize regarding failures than successes.

In view, therefore, of the importance of the subject itself and of the relatively large part that probation plays in the Women's Misdemeanants' Division of the Municipal Court, a rather full description of the procedure there will be given. Through the courtesy of the chief probation officer of the Municipal Court and of the administrator of the building at Twelfth and Wood Streets, we were afforded every facility that would make possible a close study of the practices of this Division. We were given not only free access to records but permitted to make transcripts of any available statistics or case histories. As the time was too short for studying the history of each case placed on probation during the six-month period under consideration, it was necessary to take a sample lot for analysis. It being generally conceded that ten per cent of the case histories of an organization should prove fairly indicative of its practices and achievements, transcripts of

two sets of consecutive records were made, one of the first 25 cases placed on probation in 1920 and one of the last 25 for the period ending June 30, 1920. In this way allowance was made for possible seasonal influences upon conduct. These 50 cases form, in fact, 16.3 per cent of the 306 women sex offenders placed on probation during this period and 8.4 per cent of those placed on probation for the entire year, namely, 592 women sex offenders. The period covered extends from the date when probationer first became known to the court to the time of the completion of our study in February, 1921. In respect to certain facts noted elsewhere, the period was extended to October 1, 1921.

In the Municipal Court Act, Section 9, approved July 12, 1913, P. L. 1711, as amended by Act of June 15, 1915, P. L. 988, provision is made for the appointment by the president judge of a chief probation officer "and such additional probation officers as a majority of the judges may determine . . . whose powers and duties shall be similar to those heretofore appointed by the Court of Quarter Sessions of the Peace for said county." Office is held at the pleasure of the president judge.

With the exception of the Civil Division, the Probation Department extends into all divisions of the Municipal Court. The Probation Department of each division is under the direction of a probation officer in charge, who is responsible to the chief probation officer of the Municipal Court. A routine procedure of investigation and supervision is followed in each division, except that in the Criminal Division no investigation is made until *after* conviction.

The Probation Department of the Women's Misdemeanants' Division comprises sixteen probation officers, two men and fourteen women, assisted by a clerical staff of eight. One of the men serves in the double capacity of administrative head of the building at Twelfth and Wood Streets and probation officer of both the Men's and Women's Branches of the Misdemeanants' Division. The other man probation officer verifies marriages, takes charge of those leaving the city, acts as custodian of effects of

committed persons, keeps a record of men's cases, and is said to see that men instructed to be examined or to receive treatment for a venereal disease, comply. This last point is discussed elsewhere. The fourteen women probation officers are assigned as follows:

Court representative, who appears before the judge on each court day to present any information regarding convicted women defendants that would aid in making suitable disposition of their cases. She also presents to the judge a record sheet containing a summary of defendant's social, medical, and court history.

Case supervisor, who takes complaints of parents or relatives regarding incorrigible or runaway girls, assigns cases to probation officers and supervises case work of each officer. Once a month, she reviews probation officers' reports noting how the cases have been handled—whether statements are verified, important leads followed, and whether, on the whole, wisely handled. Suggestions or instructions respecting each case are written out and attached to the history sheet.

Four probation officers who investigate and supervise street-walkers.

Eight probation officers who investigate and supervise incorrigible and runaway girls.

Early every morning, the court representative transcribes from the arrest book kept by the deputy sheriff to "face sheets" (history blanks used by the Probation Department) particulars regarding women and girls brought to the Detention House the night before, showing name, address, charge, date, names of arresting officers, and a brief statement of the time, place, and circumstances of arrest. These face sheets are handed to the case supervisor who apportions them among the probation officers. Each officer then seeks to learn from the girls assigned to her, their social histories, noting down essential facts which she sets out to verify as soon as her interviews are completed. On one of the mornings when the writer was permitted to accompany a probation officer on her rounds, she made six calls—two for the purpose of verifying statements of arrested girls, and the others to learn something of probationers under her charge. In four cases, there was either no response to her ring or the girl



apparently did not live at the address. At one of the addresses, the landlady of the house gave very little information regarding the girl arrested and pretended not to have a key to the room. It was evident that she was not wholly ignorant of the character of her lodgers and their friends. At the home of the sixth girl, the landlady said that she was still working in a laundry where, apparently, she had been employed for some time. When the probation officer finds that a girl has given incorrect information, she brings pressure to bear to make her tell the truth, saying that she will be detained until she does so. The facts finally ascertained, together with reports from the medical, neuropsychiatric and finger-print departments, form the basis of a brief summary in respect to each arrested woman, which is presented to the judge by the court representative. These type-written summaries state:

Number of case.

Name of defendant.

Charge.

Date of arrest.

Previous arraignments, if any.

Whether venereally diseased.

Religion (as a guide in case of commitment to a private institution).

Whether living with family.

Whether employed.

If the woman has been found mentally defective, that fact is said to be communicated verbally to the judge, as the result of the mental examination usually is not known in time to add to the history sheet.

Such, briefly, are the activities of the Probation Department prior to arraignment. Persons placed upon probation by the court are, in the case of runaways and incorrigibles, assigned to the probation officer of the district where the defendant resides.<sup>1</sup> Street-walkers or women convicted of disorderly conduct may be

<sup>1</sup>The practice of the Probation Department in disposing of runaway and incorrigible girls without recourse to the court is fully described on p. 67.

assigned to any one of four probation officers. It is not uncommon for a single officer to have more than 100 cases at a time under her supervision.

In Tables 17 through 23, in the appendix, we have summarized the results of our study of the 50 probation cases referred to on a preceding page. Examining Table 17, a study of the social histories in relation to offense committed, we find the greatest number of probationers to have been arraigned for disorderly street walking or disorderly conduct—17 for the former and 13 for the latter offense. Five were brought in for violation of probation. The remaining 15 were charged with being incorrigibles, runaways, or inmates, keepers and frequenters of disorderly houses. Forty-three of the probationers are white and seven colored. Only five are of foreign birth. Fourteen are between 15 and 19 years of age; sixteen between 20 and 24; six between 30 and 39; and five are over 40. Twenty-one are single and 22 claimed to be married. In three of these cases marriage was unverified and three were common-law marriages. Eight are widows, two being widows of common-law marriages. Nineteen are Roman Catholics, seventeen Protestants, three Jewish, one Greek Catholic, two are not church members, and in eight cases the religion is not stated. Three never attended school; three progressed no farther than the third grade; six no farther than the fourth; one completed the fifth and thirteen stopped at the sixth. Eight completed the seventh; eleven the eighth; one the ninth. Two reached the first and second year of high school. In two instances the school grade completed is not given. Thirty probationers were living with their parents, husband, or other relatives at time of arrest. Three were keeping house; seven, boarding; one lived at place of service; one with lover; and in two instances the manner of living is not recorded. The final section of the table relates to children of probationers. Twenty-five had no children; seven had from one to four legitimate children; eleven had children whose legitimacy was not established and seven had illegitimate children.

The number of arraignments prior and subsequent to the one

in 1920 at which the 50 women were placed upon probation is indicated in Table 18. It will be seen that 28 probationers had never previously (so far as known) been arraigned in the Misdemeanants' Division; that 13 had been arraigned once before; six, twice; one, three times; one, four times and one, ten times. The record of subsequent arraignments, up to October 1, 1921, shows that 32 probationers were not re-arraigned; 14 were re-arraigned once; two, twice; one, three times; and one, four times. A separate compilation shows nine probationers have had both previous and subsequent arraignments, as follows: four, one previous and one subsequent arraignment; one, one previous and two subsequent arraignments; one, one previous and four subsequent arraignments; one, two previous and one subsequent arraignment; one, three previous and one subsequent arraignment; and one ten previous and one subsequent arraignment. Further light is thrown upon the practice of placing recidivists on probation by Tables 9 and 10 in the appendix. These tables are fully discussed on pages 79-80.

Table 19, relating to incidence of venereal disease in the group, shows that 47 probationers were examined for one or both diseases. Of these, 25 were infected. In two cases the results of the examination were indecisive. It is noteworthy that of the 18 probationers discharged as satisfactory and not re-arrested, 14 were free from infection at the time of their examination and the four infected cases were not released from probation until they had been discharged from medical treatment. This bears out the claim of the probation department that freedom from venereal disease is a prime requisite in procuring discharge from probation, a policy and a practice that may fairly raise the query—*is their probation a form of regulation?*

Thirty-six of the 50 probationers received the routine preliminary mental examination fully described on pages 50-51. An intelligence test was requested in 13 instances and given in eight. With respect to one of the 36 cases examined, the psychiatrist asked the privilege of a second examination two months later but this request was not complied with.

Of the 36 examined, eight show neurological examination negative or reveal no marked mental abnormality. Neurological examination is negative in regard to 10, four of these being classed as evidencing poor judgment or being passive and irresponsible; the remaining six are described as emotionally unstable, as showing psychoneurotic tendencies, having low standards or subnormal. One girl is described as hyperactive, talkative, self-satisfied, mildly psychotic, not committable; another, as suffering at present from anxiety reaction owing to arrest which she states is without cause and a third as indifferent, shows no emotional reaction to her present situation; history shows old drug habit; otherwise negative. Of the eight tested mentally by the psychologist, one probationer received a favorable report on her mentality. The other seven show the following I. Q's: 40, 45, 52, 62, 72, 76 and 86, respectively. In only three instances are reports of psychiatrist or psychologist accompanied by recommendations and in only one of these are they specific rather than general. For one girl, with an I. Q. of 72, charged with incorrigibility, the psychologist points out the need of "mental stimulus and direction." She was seventeen years old, living with her parents, and free from disease. After eleven months on probation she was discharged as satisfactory and up to October 1, 1921, had not been re-arrested. Regarding the other girl, with an I. Q. of 52 and also an incorrigible, the psychologist remarks that she does not think her "capable of adjusting herself to her environment without direction or supervision." Re-examination within a year is recommended. After nearly ten months on probation this girl was released "because of lack of coöperation by father who had sought aid of court and now blocked any supervision by department." The third girl, 22 years old, convicted of disorderly conduct, received careful study at the hands of the psychologist, who fixes her mental age at 9.8, I. Q. 40. She then reports as follows:

I am doubtful about M's mentality. I am inclined to believe her feeble-minded, but hesitate to make a positive statement because she has had so many handicaps. She tells me, for instance, that she was a

cripple until she was eleven years old and did not attend school until after that time. She states further that she has always been sickly. She has been known to the Medical Department at Twentieth and Summer Streets, from which Department I learn (by 'phone) that several diagnoses have been made concerning her physical condition. Her right lung was reported "affected" by one doctor; another diagnosed her a "neurasthenic"; another stated that she was "silly" and that no medical treatment would relieve her physical condition. She was discharged because of her utter lack of responsibility.

I find her reaction here typical of that of a feeble-minded person. Her attention is flighty, her reaction quick but senseless and irrelevant. She is extremely childish and talkative, keeps making all sorts of statements in her effort to impress me.

She is very nervous, appears unstable, and in my opinion irresponsible.

In justice to her, I think she should be

1. Built up physically in every way.
2. Trained mentally with the view of determining her ability.
3. Protected until we can make a definite report on her social responsibility based on actual experiment. Previous attempts to help her at home have failed. I therefore recommend that she be removed to some home or institution where the above suggestions can be carried out.

This report was made on January 9, 1920. Four days later, at trial, the judge placed the girl on probation and, apparently unaware of its existence, ordered that "a careful mental examination be made." The probation officer who interviewed girl at time of arrest notes: "This girl tells a very rambling story; is evidently nervous and seems low grade mentally." Despite her obvious mental deficiency, probation officer and judge both let this girl slip through the mill, although another department of the court had already diagnosed the case and made three constructive and what would seem wholly feasible recommendations. Beyond referring probationer to employment department, verifying her work record two months later, calling twice at her home, the second time finding no one in, it appears that nothing was done for this girl by her officer. It is not even stated whether

the job the girl had was secured through the employment department or through her own efforts. The probation officer's record is a lengthy statement of dates girl reports at office. On November 6, girl reported at office that she was living at home with parents. Apparently her statement was accepted without verification for on the same day she was released from probation by order of the judge. There would be little point in citing this case at length were it not for the fact that out of 50 cases, it is the only one for which definite recommendations were made, recommendations that either never reached the court or were disregarded. Taken in conjunction with the ignoring by the court of suggestions made by the Neuro-Psychiatric Department on behalf of the two other cases mentioned and the absence of suggestions or recommendations with regard to the remaining 33 cases examined, it would seem to imply that beyond diagnosis the department has little to offer or to indicate a lack of coordination between the Neuro-Psychiatric Department and the court.

It is noteworthy that 17 probationers of the 50 studied did not have their finger-prints taken. These all are 20 years of age or under. On each of these cases, the administrator of the Misdemeanants' Division noted: "Finger-prints not taken because of age and minor charge." The offenses for which the 17 were arraigned are as follows:

Disorderly Conduct. . . . .	4
Violation of Probation. . . . .	4
Incorrigibility. . . . .	3
Runaway. . . . .	2
Incorrigibility and runaway. . . . .	2
Incorrigibility and disorderly conduct. . . . .	1
Incorrigibility and violation of probation. . . . .	1

The Philadelphia Court exercises over its probationers the type of supervision common elsewhere. The officers, after studying the girl's social history, seek to make desirable adjustments in her home and industrial life. Sometimes a change of environment is recommended. Suitable work is found through a special

employment department serving the entire Municipal Court. Probationers are required to report at the Municipal Court usually one a week and officers are said to visit girl's home once a month or oftener—every week for a while and then every few weeks or every month or two. The probationer is required to report to her officer in person, although many, by special arrangement, are permitted to write every week or so.

From Tables 22 and 23, showing, respectively, the number of calls made by the probation officers at the girls' homes, the number of times probationers reported in person and by letter to the Probation Department during periods of probation varying from one week to 15 months; it will be noted that the officers called at the homes of 39 girls 110 times; that 35 girls reported to the Probation Department in person 236 times; and that 25 reported by letter 214 times. The case histories show only three instances of reporting by telephone.

Examining the tables more closely, we find in Table 22, that the homes of 11 girls were never visited; 15 homes were visited once; 10, twice; five, three times, one, four times; three, five times; one, six times; two, seven times; one, 10 times; and one, 11 times. Of the 39 homes visited, only nine received more than three calls, although 34 were on probation from four to 15 months. The administrative head of the Women's Misdemeanants' Division remarked in regard to visits to probationers' homes: "We do not believe in hounding a girl who is reporting regularly, and making her feel we lack confidence."

Table 20 correlates the number of calls made by probation officer at girl's home with the number of times she saw girl. Similarly, Table 21, correlates the number of calls with the number of times she saw relative or housekeeper. In 18 of the 39 cases where the home was visited, the probationer was not seen and in only five of these cases did the officer make more than two calls. The reports show that a relative or housekeeper was seen, even though girl was not at home, in 26 cases. Only eight girls were seen by the officer more than once in their homes. On the other hand, at 17 of the homes, relative or housekeeper was seen

two or more times. It will be observed, by consulting Tables 20 and 22, that 29 of the 50 probationers were not seen at their homes by their officers.

Study of the case histories showed that six girls were called upon at their places of work and four were telephoned to there because the probation officer had been unable to see them in their homes. In addition to visits or telephone calls made with this object in view, the probation officers frequently telephoned to the girl's alleged place of employment for verification. Fifteen work records were verified, four could not be verified and in 31 instances, apparently no attempt at verification was made.

While less than half the probationers were seen at their homes, more than two thirds reported in person at the Detention House, as shown by Table 22. Reports of the probation officers do not state by whom the girl was interviewed in each case. Frequently, when the writer happened to be in the probation office at the time of such calls, she heard interviews somewhat as follows: "Are you working now?" or, "Are you behaving yourself?" (Incidentally, negative replies to these queries were not made!) After one or two such questions, the date of girl's visit was noted on her card and returned to her, invariably with the admonition: "Now be a good girl." Of the 35 girls reporting in person, 21 did so more than twice, and 10, who were on probation six months or more, reported from 10 to 23 times.

It will be seen from Table 23, that 25 girls reported by letter. Of these, less than half wrote as many as three times, although some were on probation from six to fifteen months. There appears to be little relationship between the length of the probation period and the number of times a girl may write. Two girls, each on probation over a year, wrote only twice or three times. Two who wrote 16 times were on probation, one less than three months, and one over thirteen months. Instances could be multiplied.

Girls released from the Gynceean Hospital usually are required to report regularly to the State Dispensary for treatment, and are placed upon probation with that stipulation. The method of



keeping a check on these girls is described fully in the section relating to Physical Examination.

"The term of probation may be indefinite as is often the case when medical attention is needed, or for a definite period, usually ranging from one to six months," according to the report of the Municipal Court for 1917,<sup>1</sup> but in practice it appears that the term of probation is not fixed in advance. It seems to vary from one month to two years or more, the period lengthening indefinitely in the case of girls requiring clinical treatment. Two court officials stated that an infected girl might be kept on probation two years or longer. The question of terminating probation is raised by the girl's officer who may recommend release when in her judgment supervision is no longer necessary. At that time, the girl's record is presented to the case supervisor, who stated to us that she considered first of all girl's physical condition with especial reference to whether free from venereal diseases. Next she reviewed girl's social history and conduct so far as known while on probation, giving particular consideration to her work record, general environment, and manner of living. Once a month, each probation officer sends to the case supervisor the names and records of girls whom she considers eligible for release. The supervisor, after examining these records, lists those whom she recommends for discharge. This list is sent to the Clerk of the Court, who prepares a transcript of each case for the judge's signature. These applications for release from probation are signed without further court hearing. Power of discharge practically rests, therefore, with the case supervisor.

A girl may be charged with "violation of probation" for failing to observe conditions imposed at the time she is placed on probation, such as reporting for medical treatment, returning to her home, etc., or for committing a new offense. In any case, a bench warrant may be issued and the girl, if found, brought to court. Of 132 cases of violation of probation disposed of at court hearings in 1920, five were discharged, 50 were again placed on probation, 45 were committed to correctional institutions, 27

<sup>1</sup>Fourth Annual Report of the Municipal Court of Philadelphia, 1917, p. 132.

committed to Gynceean Hospital and five disposed of in other ways.<sup>1</sup>

In order to present the most recent information available in regard to the other 50 cases studied, we asked the Probation Department in October, 1921, to advise us of the progress of each case up to that time and whether many of the girls had been brought into court since our data had been gathered. On October 1, 1921, therefore, the records of our 50 girls were as follows:

Discharged from probation as satisfactory and not re-arrested.....	18
Still on probation, not re-arrested.....	6
Discharged as unsatisfactory.....	1
Disappeared (no bench warrant issued).....	1
Bench warrant issued, probationer not found.....	5
Re-arrested once. . . . .	14
Re-arrested twice. . . . .	2
Re-arrested three times.....	1
Re-arrested four times.....	1
Died. . . . .	1
	<hr/> 50

Leaving out of consideration the six still on probation and the one who died, it appears that 18 of the probationers made good, so far as known, while 25 were known to be unsatisfactory.

The status of the 18 probationers who were re-arrested was as follows on October 1, 1921:

Discharged from probation.....	1
Discharged and taken home by husband.....	1
Discharged because case could not be properly supervised out of city and state. . . . .	1
Discharged by court on second re-arrest <sup>2</sup> .....	2
Transferred from House of Correction to Home for Indigent (age 50)	1
Still on probation. . . . .	6
In Gynceean Hospital. . . . .	1
Committed to House of Correction for three months in May, 1921.	
No further information.....	1
Bench warrant issued, probationer not found.....	3
Sentence not stated. . . . .	1
	<hr/> 18

<sup>1</sup>Seventh Annual Report of the Municipal Court of Philadelphia, 1920, Table 7, p. 154.

<sup>2</sup>The records do not indicate whether discharge at time of third arraignment terminated probation previously imposed.

## INCORRIGIBLES AND RUNAWAYS

In addition to its main task of making a preliminary investigation of all cases of women brought to the Misdemeanants' Division and of supervising such cases as may be placed upon probation, this Department has certain special functions in regard to three groups, namely: "Protection" Cases, Runaways, and Incorrigibles and those designated as "Incorrigible and Runaway." The three groups are variously termed "Friendly Service" or "Department" cases. Protection cases, as such, are never arraigned in court. A runaway or incorrigible girl is not brought before the court unless the efforts of the Probation Department prove unavailing. In this way, the "protection work" done by the Probation Department of the Municipal Court resembles that ordinarily carried on by women police in cities maintaining a Women's Police Bureau. Of 299 cases (25.6 per cent of the women and girls brought to the Misdemeanants' Division) adjusted in 1917 by the Probation Department without a court hearing, 266 were listed as incorrigible, runaway, or protection.<sup>1</sup> In 1918, 288 cases (15 per cent), all incorrigible, runaway, and protection, were adjusted out of court. Of these, 199 were brought to the Detention House on complaint of parent, relative, or guardian. The remaining 29 were picked up by the police or referred by a social agency.<sup>2</sup> In 1919, 224 (12.5 per cent) were adjusted without a court hearing. Of these, 163 were incorrigible, runaway or protection cases.<sup>3</sup> In 1920, 176 (39.5 per cent) were adjusted out of court. The table which follows,<sup>4</sup> shows the total number of incorrigibles and runaways brought to the Detention House in 1920, and the number adjusted out of court:

<sup>1</sup> Fourth Annual Report of the Municipal Court of Philadelphia, 1917, p. 129.

<sup>2</sup> Fifth Annual Report of the Municipal Court of Philadelphia, 1918, pp. 152-153.

<sup>3</sup> Sixth Annual Report of the Municipal Court of Philadelphia, 1919, Table 8, pp. 150-151. This number includes in addition to incorrigibles, runaway, and protection cases, thirteen girls brought in on other charges.

<sup>4</sup> Seventh Annual Report of the Municipal Court of Philadelphia, 1920, Table 3, p. 142.

	TOTAL CASES	ADJUSTED Number	OUT OF COURT Per Cent
Incorrigible. . . . .	185	92	49.7
Incorrigible and Runaway. . . . .	70	22	31.4
Runaway. . . . .	190	62	32.6
	<hr/>	<hr/>	<hr/>
Total. . . . .	445	176	39.5

### *Protection Cases*

This group comprises girls who may voluntarily seek the aid and protection of the Probation Department, of which they frequently learn through welfare supervisors of department stores or factories; or girls who may be referred by such agencies as the Travelers' Aid, Society for the Prevention of Cruelty to Children, etc. These girls are not brought before the court but their problems are adjusted on a case-work basis. It is said that fingerprints of these girls are not taken.

Runaways are brought to the Detention House chiefly by the Bureau of Missing Persons and the Travelers' Aid Society. Two special officers interview runaway girls, one, the case supervisor, handling Philadelphia girls exclusively, and the other Philadelphia, and out-of-town runaways.

In the case of out-of-town runaways, the probation officer communicates with the police and probation departments of the girl's home town, asking for a full investigation, and on the basis of the facts ascertained, seeks to make a suitable disposition of the case. An examination of many records of runaways showed uniformly prompt action in communicating with out-of-town agencies and authorities who could aid in locating girl. If it is found desirable to return the girl to her own town, it is usually arranged to have a probation officer there look after her. If necessary to take the runaway before the court, the Probation Department, through the court representative, presents the girl's social history precisely as it would in connection with girls or women arraigned on other charges. It is said to be customary to test runaway girls mentally and to give them a general medi-

cal examination. Only in rare instances, however, is a pelvic examination or blood test required. While finger-prints of runaways are sometimes taken, these are filed separately and do not become a part of the official court record unless the girls actually are arraigned in court.

Girls who have run away from their homes in Philadelphia are questioned by one of the two special probation officers referred to in the foregoing paragraph, or by the probation officer assigned to the district where the girl is said to reside. The district probation officer visits the girl's home and seeks in coöperation with her parents or guardian to make a satisfactory adjustment of the case, out of court if possible.

### *Incorrigible Girls*

Charges of incorrigibility are brought as a rule by a girl's parent, relative or guardian. Such complainants are interviewed by two special probation officers handling runaway girls, who, on basis of facts furnished, fill out a face sheet calling for a detailed social history of the girl. As in the case of runaways, the district probation officer then makes an investigation.

The consent of the girl's parent or guardian to an informal "trial-probation" for at least a month is often asked. The district probation officer then handles the case precisely as she would if probation had been extended by a judge. Suitable employment and recreation are sought for the girl and supervision exercised over her. The probation officer is said to keep in touch with the home so as to know whether the girl's conduct shows improvement. With the incorrigibles as with the runaways, an attempt is made to forestall court action. If it is thought the girl may have exposed herself to the possibility of infection, the parent's consent to an examination at the Detention House is asked. It is said that incorrigible girls are seldom given mental or physical examinations unless placed before the court, nor are their finger-prints taken. Frequently, even when "trial-probation" has failed, the court will place the girl on probation and

she will be assigned to the same probation officer who supervised her prior to arraignment.

Because of the interest attaching to any attempt to spare delinquent young women the stigma of a court record, the method of dealing with them in Philadelphia as a step in advance of probation, seemed to merit careful study. The complaint book of the Women's Misdemeanants' Division records 68 cases of incorrigibility for the first four months of 1920. The writer selected for study the first 30 consecutive cases handled as "friendly service" by the Probation Department. Probation officers were not interviewed regarding these cases and the writer's observations and conclusions are based, therefore, only on their written reports concerning each case. These indicate that parents and girls were interviewed, the stories of each apparently checked. Efforts on the part of the officer to counsel with the family and to reason with and admonish the girl, as occasion required, are a matter of record. But the officer's investigation is limited too frequently to family interviews. One is struck forcibly by total absence of comprehensive or significant data regarding the girl from a social, economic, physical, mental, or emotional standpoint, particularly in view of the court machinery available.

In twelve instances, the complaint was made by the mother, in ten by the father, in three by a sister, and in one by a brother. Two cases were referred by the Society for the Prevention of Cruelty to Children and two were reported by outsiders. Usually, three or four charges were made regarding the incorrigible. In 27 cases the girl was said to keep late hours or remain out all night; in 16 instances she was reported as "running around with sailors" or other strange men, soliciting on the streets or living with a lover. Frequently, also, the girl was accused of stealing or being impudent and beyond control. Twenty-six of the girls were white, three colored and the race of one was not stated. Twenty were 17 years old or under. Seven were examined physically and six mentally. Two were found to have syphilis. None was

reported as deviating mentally from normal. At the completion of our study in February, 1921, the court records showed that five cases had been turned over to the court by the Probation Department, that 18 had been dropped by the Department, and that the remaining seven cases were still under supervision. The five arraigned in court had been first supervised by the Probation Department—one, ten days; one, 26 days; two, 50 days; and one, nearly four months. Those released by the Department were supervised for the following periods: seven, one to three months; four, three to six months; three, six to nine months; three, nine to eleven months; and one, over a year. Turning to the 18 cases closed by the Department without recourse to the court, it was found that seven were dropped because the family or referring agency reported improvement; five, because the girl married; one, because the girl was returned home in consequence of letter written to her aunt by the probation officer, although neither the girl nor aunt was interviewed; one, because of lack of coöperation on part of family; one, because girl could not be found; two were referred to other divisions of the court; one, an unmarried mother, was placed with her baby in a private institution. In three of the seven pending cases, improvement was reported by the family who asked that no further action be taken by the Probation Department; in two cases, the mother stated that girl was "scared" and doing better because she had been reported to the court, although in one instance the officer never saw the girl; in one instance the Juvenile Court asked the Misdemeanants' Division to drop the case because they had two boys in the same family and preferred to handle the entire problem; in the seventh pending case, the girl and her mother disappeared. The father, who lived elsewhere, said he had not seen them for a year. Of the five cases arraigned in court, one was discharged by the judge because of girl's willingness to marry; one was placed on probation and later sent with her baby to the Hebrew Sheltering Home; one, infected with syphilis, was committed to the Gyncecan Hospital and later sent to the House of Good Shepherd where she was reported "doing well." Another girl (colored)

with a 3+ Wassermann ("not in actively contagious stage") was "discharged to marry," the ceremony being performed at conclusion of hearing.

Obviously, sweeping conclusions cannot be drawn from so small a number of cases, particularly in view of the fact that finger-prints are not taken. From the foregoing, it appears that satisfactory adjustment without arraignment in court is claimed for 16 of the 30 incorrigibles.

#### EDUCATIONAL DEPARTMENT

A novel feature of the Municipal Court of Philadelphia is its Educational Department created for the purpose of analyzing the work of the court and coördinating its machinery in such a way that it would function expeditiously. In addition, the Department offers a course of lectures on topics bearing upon problems arising in the various divisions of the court. Through it, opportunity is afforded certain workers in each division to receive training at the Pennsylvania School for Social Work. The case supervisor in the Probation Department of the Women's Misdemeanants' Division completed the course in case work offered by that school. The Department maintains also a sociological library for the convenience of its workers. In 1919, it compiled a Social Service Directory of welfare agencies in Philadelphia. This has since been revised. In the report of this department for 1920<sup>1</sup> it is stated that research studies have been made comprising an analysis of the salaries and duties of personnel in each division of the court. The report adds: "There is no standardized information in this country as to the cost of probation. We hope to be able to exchange information with other cities on this subject." The Department prepares charts and slides illustrative of its work and answers all inquiries concerning the court. Its aim is set forth in the concluding sentence of its report for 1920:

<sup>1</sup>Seventh Annual Report of the Municipal Court of Philadelphia, 1920, pp. 371-377.



To study new and better methods of approach to our court problems; to develop new and better methods of work and technique, and to interpret them to the staff, to social workers and others, has been the aim of the department as the educational work has progressed during the year.

#### CORRECTIONAL INSTITUTIONS

Women convicted in the Misdemeanants' Division may be committed to the following institutions:

House of Correction.  
Sleighton Farms.  
State Industrial Home for Women.  
House of Good Shepherd.  
Door of Hope.

Commitments of women sex offenders to these institutions for the first six months of 1920<sup>1</sup> and for the entire year<sup>2</sup> were as follows:

	FIRST SIX MONTHS OF 1920	1920
House of Correction.....	198	409
Sleighton Farms. . . . .	18	37
State Industrial Home for Women....	...	8
House of Good Shepherd.....	25	76
Door of Hope.....	5	10
	<hr/> 246	<hr/> 540

From these tabulations, it appears that the House of Correction received 80.4 per cent of commitments to penal institutions for the first six months of 1920 and 75.5 per cent for the entire year. The State Industrial Home for Women, a comparatively new institution, did not commence to receive commitments until November, 1920.

Owing to the relatively small number of commitments to reformatory institutions, public or private, these were not inspected. The writer was conducted hastily through the House of Correction at a time when the institution was said to be closed

<sup>1</sup> Table 1, Appendix.

<sup>2</sup> Table 6, Appendix.

## FACE SHEET USED BY THE PROBATION DEPARTMENT

FORM NO. C. 1047

THE MUNICIPAL COURT OF PHILADELPHIA  
MISDEMEANANT DIVISION - WOMEN'S DEPARTMENT

CASE NO.

## CHARGE

DATE OF SHEET		BY		CHARGE		PLAINT TO OTHER DIVISION OF COURT		CASE NO.	
1 NAME		11 ADDRESS		12 FLUR		13 ROOM OF HOUSE		14 TIME IN HOUSE	
15 RESIDENT NAME		16 ALIAS		17 BENT		18 PER		19 INCLUDES	
20 DATE OF BIRTH		21 AGE		22 SEX		23 PLACE OF BIRTH		24 NATIVE LANGUAGE	
25 FATHER'S NAME		26 FATHER'S ADDRESS		27 FATHER'S PLACE OF BIRTH		28 FATHER'S NATIVE LANGUAGE		29 MOTHER'S NAME	
30 MOTHER'S ADDRESS		31 MOTHER'S PLACE OF BIRTH		32 MOTHER'S NATIVE LANGUAGE		33 MARRIAGE DATE		34 MARRIAGE PLACE	
35 MARRIAGE DATE		36 MARRIAGE PLACE		37 MARRIAGE PLACE		38 MARRIAGE PLACE		39 MARRIAGE PLACE	
40 CHILDREN		41 NAME AND DATE OF BIRTH		42 ADDRESS		43 FATHER'S NAME		44 FATHER'S ADDRESS	
45 NAME OF SCHOOL LAST ATTENDED		46 SCHOOL GRADE COMPLETED		47 SCHOOL GRADE COMPLETED		48 SCHOOL GRADE COMPLETED		49 VOCATIONAL TRAINING	
50 LIVES WITH		51 KINSHIP		52 ADDRESS		53 TIME LIVES AT THIS ADDRESS		54 TYPE OF DWELLING	
55 CHURCH		56 DENOMINATION		57 PASTOR OR PRIEST		58 ADDRESS		59 ADDRESS	
60 NAME AND LINE OF STEAMER		61 NAME REGISTERED		62 PORT OF ORIGIN		63 RECEIVED BY		64 ADDRESS	
65 FAMILY AND RELATIVES		66 KINSHIP		67 AGE		68 ADDRESS		69 OCCUPATION	
70 FATHER		71 MOTHER		72 FATHER		73 MOTHER		74 FATHER	
75 NAME OF EMPLOYER		76 KIND OF BUSINESS		77 ADDRESS		78 PERIOD WORKED HERE FROM		79 PERIOD WORKED HERE TO	
80 DATE OF HEARING		81 CHARGE		82 MAGISTRATE		83 DISPOSITION		84 DISPOSITION	
85 DATE OF HEARING		86 CHARGE		87 JUDGE		88 DISPOSITION		89 DISPOSITION	

## 75

to visitors because of being painted. Opportunity to interview the superintendent of women was not afforded. Maximum sentence to this institution was said to be two years and the minimum 30 days. From Table 2 in the appendix, showing length of sentence to the House of Correction, it appears that three- and six-month terms are in the majority. Only one woman was committed for 30 days and only one for two years. One case apparently received a two and a half year sentence. Commitments to the other institutions are not for fixed terms.

#### RECORDS AND STATISTICS

The Municipal Court of Philadelphia maintains a statistical department which compiles from the court docket, case histories and other court records information which it uses as the basis for numerous tables showing the volume of business handled by each division, nature of the civil or criminal process and the social status of the defendant. Statistics for the Women's Misdemeanants' Division are compiled chiefly from the case record filed for each defendant. This record comprises the following papers: Face Sheet, Medical Sheet, Mental Sheet, Report of Probation Officer, Correspondence. The manner of preserving and filing these records makes all information concerning each defendant very readily accessible. The papers specified are fastened securely together in a definite order and placed in separate folders for each case. These are filed numerically in steel lock-cabinets and indexed under every known name and alias. In the case of recidivists whose finger-prints are on file, the Bureau of Identification<sup>1</sup> furnishes the filing department with former names. Every morning a clerk from the Statistical Department copies from the face sheets the items which are to be tabulated. It was his practice at the time of our study to check the facts on the face sheet by the more accurate presentation in the body of the record, from which he secured also data not repeated on the face sheet, such as reports of the Medical and

<sup>1</sup> Discussed on p. 42.

Neuro-Psychiatric Departments. While the Probation Department aims to correct face sheets to correspond with verified facts, it frequently fails to do so. It was impossible to determine to what extent statements made by the defendant were verified. Considerable confusion arises also because of using (in practically all instances observed) but one face sheet for each defendant regardless of the number of times she is arraigned in court. By consulting copy of the face sheet used, pages 74-75, it will be seen that the spaces for such changing information as age, marital condition, occupation, etc., admit of only a single entry. In reading the facts regarding a person arraigned a number of times, it is practically impossible to know the precise status at each arraignment. Further, age is recorded rather than date of birth and very seldom are all the indicated items supplied. Not only are the records well preserved, but they are carefully and clearly typewritten with marginal headings. It is interesting also to note that this Division measures up to the standard set by the American Institute of Criminal Law and Criminology in regard to the minimum requirements for criminal court records,<sup>1</sup> in all save two particulars—citizenship and period of commitment for non-payment of fine.

Table 1 shows the disposition of cases of sex offenders arraigned in the Women's Misdemeanants' Division during the first six months of 1920. These number 1671 of whom 807 are men and 864 women. Of this number, it will be noted that 251 men, or 31.1 per cent, and 548 women, or 63.4 per cent, were convicted, making total convictions of 799, or 47.8 per cent. Four hundred and sixty-one men and 153 women were discharged. Twenty-six men and 241 women were committed to correctional institutions. In the case of women sent to Sleighton Farms or the House of Good Shepherd, the sentence was indeterminate, while commitments to the House of Correction and the County Prison were for fixed terms. The length of these terms, varying from five days to 32 months, is shown in Table 2. Of the 25 men

<sup>1</sup> Discussed in the preceding article of this series, *SOCIAL HYGIENE*, October, 1921, p. 404.

committed to the House of Correction, nine received three-month and thirteen, six-month sentences; of the 198 women committed to this institution, 87 received three-month and 90, six-month sentences. Frequently, however, after serving a portion of their sentences, committed cases were sent to court for a re-hearing and paroled by the judge for the balance of their term. Seventeen men and 306 women were placed upon probation. Two hundred and eight men and one woman were fined. The amounts are set forth in Table 3. In more than half of the cases, \$10 or \$15 fines were imposed.

The incidence of venereal disease among the women examined is indicated in Table 4. It will be noted that 44 of the 868 women arraigned, only 4 per cent were not examined. Of the 824 examined, 455, or 55.2 per cent, were found to be infected—the highest percentage of disease occurring among the disorderly street-walkers and those keeping and maintaining disorderly houses—64.2 per cent of the former and 62.2 per cent of the latter being diseased.

A somewhat smaller number (740) were examined mentally, 85.2 per cent as contrasted with 96 per cent for venereal disease. The results of this study, shown in Table 5, indicate that 447, or 60.4 per cent were normal. Those deviating from normal are subdivided into seven groups, namely, retarded, border-line, moron, psychoses, psychoneuroses and neuroses, constitutional psychopathic inferiors, and epileptic. It will be noted that the great majority of cases deviating from normal are designated under a single head—constitutional psychopathic inferiors, numbering 221. These form 75.4 per cent of those deviating from normal.

Table 6, like Table 1, deals with the disposition of cases of sex offenders. The period covered, however, is for the entire year of 1920. It will be noted that the percentage of convictions for the longer period varies but slightly from the percentage for the six-month period.

Disposition of cases of sex offenders arraigned in the Criminal Division (Jury) of the Municipal Court is shown in Tables 7

and 8, for the first six months of 1920 and for the whole year, respectively. Comparing convictions of men and women, respectively, in this court with the convictions in the Misdemeanants' Division, it will be noted that the percentages for the two sexes are practically reversed:

## CONVICTION OF SEX OFFENDERS, 1920

Total Number Convicted				Per Cent Convicted				
Women's Misdemeanants' Division		Criminal Division		Women's Misdemeanants' Division		Criminal Division		
	6 mos.	1 year	6 mos.	1 year	6 mos.	1 year	6 mos.	1 year
Male. . .	251	459	103	168	31.1	33.7	69.8	61.9
Female. . .	548	1132	7	12	63.4	63.	29.1	25.
Total . .	799	1591	110	180	47.8	50.4	66.1	56.2

One element contributing largely to this result is the vigor with which the fornication and bastardy cases are prosecuted in behalf of unmarried mothers. The six-month period shows 81.2 per cent of convictions under this charge and for the year, 78.1 per cent, the number arraigned being, respectively, 112 and 192 men.

Tables 9 and 10 deal with those women arraigned in the Misdemeanants' Division during the first three months of 1920 who had at any former time (so far as known) been placed upon probation. They numbered 123, or approximately one fourth of the total number of women arraigned in this period, and were tried on probation from one to six times. In Table 9, the relation is shown between the number of times the women had been placed upon probation and the number of times they had been arraigned on a new charge.

The extent to which arraignments (ranging from one to seven) out-number trial on probation is indicated in the following summary based on Table 9:

Of the 47 women placed on probation once, 44 were arraigned two or more times.

Of the 49 women placed on probation twice, 27 were arraigned three or more times.

Of the 19 women placed on probation three times, 14 were arraigned four or more times.

Of the 5 women placed on probation four times, 4 were arraigned five or more times.

Of the 2 women placed on probation five times, 2 were arraigned six or more times.

The one woman placed six times on probation was arraigned the same number of times. Stated in totals, of the 76 women placed upon probation two or more times, 54, or 71 per cent, were arraigned three or more times.

Table 10, presents an analysis of this group of 123 women, showing how frequently they had been placed upon probation prior to arraignment in the three-month period referred to and how often they were arraigned on a new charge subsequent to the last time placed upon probation in relation to the offense committed and the disposition made at time of court hearing in the first three months of 1920. While necessarily complex in its presentation, the table should repay a thoughtful examination. Dealing as it does, with only a limited number of cases, it nevertheless serves as a partial indication of what, on the surface at least, would appear to be a failure on the part of many probationers to realize the hopes entertained for them. One is struck perhaps first of all by the numerous subsequent arraignments of women to whom probation was repeatedly applied—that women to whom the clemency of the court was extended once, twice, three, four and five times, appeared before it again and again.

Of the 80 women who had been placed on probation once prior to 1920, only four succeeded in keeping out of the court thereafter; 17 were arraigned subsequently two or more times. Of 28 placed on probation twice, only one kept out of court; six were arraigned subsequently two or more times. The 12 who were placed on probation three times were all subsequently arraigned—nine, once; two, twice; and one, four times. One woman placed on probation four times was again arraigned subsequent to her fourth chance on probation. The two women



tried five times on probation were arraigned subsequently—one, once; and one, twice. One naturally looks with interest to see in what manner these repeated offenders were disposed of at their latest hearing. Returning, therefore, to the first group, those formerly placed on probation once, we note that the ten credited with three or more subsequent arraignments were disposed of as follows: three were again placed on probation; one was committed to the Gynceean Hospital; six were sent to the House of Correction—two, for six months, one, for nine months, and three for a year. It is noteworthy that of the 123 women under consideration, 53, or 43 per cent, were again placed on probation.<sup>1</sup>

Examining that portion of the table which shows the latest offenses on which the women were arraigned, it will be noted that next to Disorderly Street Walking, Violation of Probation constitutes the chief offense—49 being arraigned on the former and 34, or 27.6 per cent, of the entire 123, on the latter charge. Twenty-two of the women had been placed on probation once before and arraigned once since; one, twice before without a subsequent arraignment; and ten, twice before with one subsequent arraignment.

In the second group, those formerly placed on probation twice, the three credited with three or more subsequent arraignments were disposed of as follows: two were again placed on probation and one sentenced to the House of Correction for a year and a half. In the third, fourth, and fifth groups, those formerly placed on probation three, four or five times, it may be interesting to consider the disposition of the entire fifteen. Of the eleven credited with one subsequent arraignment, six were given still

<sup>1</sup> That repeated arrests form no serious barrier to trial on probation is shown in the Seventh Annual Report of the Municipal Court of Philadelphia for 1920, where it is stated in the section on the Women's Misdemeanants' Division, p. 122, that "of the 116 old offenders who had been arrested five or more times . . . 17 were placed on probation, 9 were placed on probation with medical supervision and one was placed on probation to leave town in care of individual." In other words, 23.2 per cent of those arrested five or more times were considered suitable types for probation.

another chance; one was committed to the Gynceean Hospital; and four to the House of Correction—one for three months, two for six months, and one for two years. Of the three subsequently arraigned twice, one was placed on probation and one held in the House of Detention for treatment and one sent to the House of Correction for three months. The woman placed on probation three times before and subsequent to her last trial on probation arraigned four times was committed to the Gynceean Hospital—a temporary disposition.

That continuing or adjourning cases is not a common practice in Philadelphia is shown by Table 11. The Statistician of the Municipal Court furnished the facts in this particular with reference to the first one hundred cases (women) disposed of in the Misdemeanants' Division in 1920. It will be seen that only 22 cases were continued, eighteen once and four twice. Of these, only five were continued beyond a week, one for eight, one for ten, one for 14, one for 58 and one for 63 days, respectively. Considering next the speed with which the entire 100 cases were disposed of, we find in Table 12, that 58 dispositions were made in three days or less, and 32 in from four to seven days. The remaining ten cases were disposed of, seven within a month, and three within three months.

Tables 14 and 15, compiled by the writer from the record book kept by the superintendent of the Detention House, show age, color, and period of detention of cases admitted during the first three months of 1920. Of the 637 cases who entered during this period, 460 were white and 177 colored. Ages with respect to 18 cases are not stated. Two hundred and sixty-four (42.6 per cent) of the 619 whose ages are given, fall between 16 and 21 years. Eighty-three (13.4 per cent) are over 30. Of the 637 cases, 193 were detained three days or less. Three hundred and fifty-four (54 per cent) were held from four to ten days. Only 28 (4.4 per cent) were detained over a month.

With few exceptions, the same judges sit in rotation on the Misdemeanants' Division bench, and are thereby afforded an opportunity to acquaint themselves with the special problems

which arise in this court. Such a system leads to specialization, and permits the judge to become expert in this particular field. (See Table 16.)

In Tables 17 through 23, we have presented the results of our study of 50 individuals placed upon probation during the first six months of 1920. The manner in which the records of these women were selected, together with summaries based upon our analysis of the material, is fully set forth in the section dealing with probation, pages 52-66.

Tables 24 through 45 in the appendix are reprinted (after renumbering) without change of type, from the Seventh Annual Report of the Municipal Court of Philadelphia, 1920, through the courtesy of the chief probation officer and the statistician of the court, and relate to cases heard in the Women's Misdemeanants' Division. Attention is called to the fact that Tables 24, 31, 32, 36, 41, and 43 relate to *individuals*. These tables deal with arraignments for all offenses heard in this court and should repay a careful examination, throwing light as they do on the business of the Division as a whole, and the status of all classes of defendants.

Special acknowledgments are due Mr. Frank S. Drown, the Court Statistician, for his unfailing courtesy in supplying us with statistics and any necessary information relating to them.

#### CONCLUSION

As in the case of the Chicago Morals Court, this report has concerned itself with the structure and procedure of the Misdemeanants' Division, reserving for the final instalment of this series comparisons, criticisms, or recommendations.

TABLE 1. DISPOSITION OF CASES OF SEX OFFENDERS ARRAIGNED IN  
JUNE 30,

OFFENSE	NATURE OF DISPOSITION—SUMMARY									
	TOTAL ARRAIGNED	DISCHARGED	PROBATION	COMMITTED		FINE AND COSTS <sup>1</sup>	OTHER DISPOSITION	FAILED TO APPEAR	ESCAPED	
				Correc-tional institu-tions	Hos-pitals					
Disorderly street walking	M F	1 286	1 44	80	137	18	7			
Disorderly conduct	M F	325 173	152 43	10 69	11 26	32	23 2		1	
Frequenter or inmate disorderly house	M F	387 168	264 36	5 61	7 39	28	23 4	14		
Keeping and msintaining disorderly house	M F	68 45	34 13	2 11	2 9	1	3 27 11			
Pandering	M F	5 ...	...	...	3	...	2			
Fornication	M F	5 ...	3 ...	...	...	...	2			
Fornication and disorderly conduct	M F	1 ...	1 ...	...	...	...				
Adultery	M F	1 ...	...	...	...	...	1			
Male bawd	M F	6 ...	1 ...	...	1	...	2 2			
Soliciting for immoral purposes	M F	4 ...	2 ...	...	2	...				
Soliciting and disorderly conduct	M F	3 ...	2 ...	...	...	...	1			
Incorrigibility <sup>2</sup>	M F	...	...	49	10	29	1			
Runaway <sup>2</sup>	M F	...	...	25	10	21	1			
Disorderly child	M F	1 32	1 6	9	9	7	1			
Miscellaneous sex offenses	M F	...	...	2	1	...				
TOTAL	M F	807 864	461 153	17 306	26 241	136	208 1 80 27	14	1	
GRAND TOTAL		1671	614	323	267	136	209	107	14	

<sup>1</sup> Table furnished by Statistician of Municipal Court. The following charges have been omitted because they are for other than sex offenses: drunkenness; illegal sale, purchase or possession of drugs; larceny; witness; protection and miscellaneous.

WOMEN'S MISDEMEANANTS' DIVISION, PHILADELPHIA, JANUARY 1 TO 1920<sup>1</sup>

## NATURE OF DISPOSITION—DETAIL

COMMITTED TO CORRECTIONAL INSTITUTIONS				COMMITTED TO OTHER INSTITUTIONS				PROBATION					TOTAL NUMBER CONVICTED	PER CENT CONVICTED
House of Correction <sup>1</sup>	County Prison <sup>2</sup>	House of Good Shepherd	Sleighton Farms	Gynecean Hospital	Philadelphia Gen-eral Hospital	Door of Hope	Women's Misdemeanant's Division, House of Detention	Regular	Medical	To leave town	Continued			
											Reg-ular	Med-ical		
131	...	5	1	15	2	...	1	42	30	6	1	1	217	75.8
10	1	...	3	30	2	...	...	9	17	1	3	2	149	45.8
19	...	4	3	30	2	...	...	44	17	3	3	...	96	55.4
7	...	3	2	24	4	...	...	5	18	1	5	...	86	22.2
34	...	3	2	24	4	...	...	37	18	1	5	...	100	59.5
2	...	1	...	1	...	...	...	1	7	1	1	...	7	10.2
8	...	1	...	1	...	...	...	3	7	...	1	...	20	44.4
3	...	...	...	...	...	...	...	...	...	...	...	...	3	60.
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
1	...	...	...	...	...	...	...	...	...	...	...	...	3	50.
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
2	...	...	...	...	...	...	...	...	...	...	...	...	2	50.
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
...	...	...	...	...	...	...	...	...	...	...	...	...	1	33.3
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
...	...	3	7	24	...	1	4	31	7	2	8	1	59	62.7
...	...	9	1	18	...	3	...	17	1	4	2	1	35	55.5
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
5	...	...	4	5	1	1	...	5	2	1	...	1	18	56.2
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
1	...	...	...	...	...	...	...	1	...	...	1	...	3	100.
25	1	...	...	...	...	...	...	15	...	2	...	...	251	31.1
198	...	25	18	117	9	5	5	180	82	17	21	6	548	63.4
223	1	25	18	117	9	5	5	195	82	19	21	6	799	47.8

<sup>2</sup> An incorrigible or runaway may or may not be a sex offender.<sup>3</sup> For amount of fine see Table 3.<sup>4</sup> For term of commitment see Table 2.

TABLE 2. LENGTH OF SENTENCE TO HOUSE OF CORRECTION OF SEX OFFENDERS COMMITTED JANUARY 1 TO JUNE 30, 1920<sup>1 2 3</sup>

OFFENSE	TOTAL COM-MITTED	1 MONTH	2 MONTHS	3 MONTHS	6 MONTHS	9 MONTHS	12 MONTHS	18 MONTHS	24 MONTHS	32 MONTHS	TERM NOT STATED
Disorderly street walking	M F 131	... ...	... 1 ...	... 53 ...	... 65 ...	... 5 ...	... 4 ...	... 1 ...	... 1 ...	... 1 ...	... ...
Disorderly conduct	M F 10 19	1 ...	... ...	5 7	3 10	... ...	1 2	... ...	... ...	... ...	... ...
Frequent or inmate disorderly house	M F 7 34	... ...	... 1 ...	1 19	5 10	... 1 ...	1 1	... ...	... ...	... ...	... 2 ...
Keeping and maintaining disorderly house	M F 2 8	... 1 ...	... ...	... 3 ...	2 4	... ...	... ...	... ...	... ...	... ...	... ...
Pandering	M F 3 ...	... ...	... ...	2 ...	1 ...	... ...	... ...	... ...	... ...	... ...	... ...
Male bawd	M F 1 ...	... ...	... ...	1 ...	... ...	... ...	... ...	... ...	... ...	... ...	... ...
Soliciting for immoral purposes	M F 2 ...	... ...	... ...	... ...	2 ...	... ...	... ...	... ...	... ...	... ...	... ...
Disorderly child	M F ... 5	... ...	... ...	... 4	... 1 ...	... ...	... ...	... ...	... ...	... ...	... ...
Miscellaneous sex offenses	M F ... 1	... ...	... ...	... 1 ...	... ...	... ...	... ...	... ...	... ...	... ...	... ...
TOTAL	M F 25 198	1 1	... 2 ...	9 87	13 90	... 6 ...	2 7	... 1 ...	... 1 ...	... 1 ...	... 2 ...
Grand Total	223	2	2	96	103	6	9	1	1	1	2

<sup>1</sup> Data supplied by Statistician of Municipal Court, Philadelphia.

<sup>2</sup> One man, found guilty of disorderly conduct, was committed to County Prison for five days.

<sup>3</sup> Women are also committed to Sleighton Farms and House of Good Shepherd, but on an indeterminate sentence.

TABLE 3. AMOUNT OF FINES IMPOSED IN CASES OF MEN SEX OFFENDERS ARRAIGNED IN WOMEN'S MISDEMEANANT'S DIVISION, PHILADELPHIA, JANUARY 1-JUNE 30, 1920<sup>1 2</sup>

OFFENSE	TOTAL NUMBER OF CASES	AMOUNT OF FINE <sup>3</sup>									
		\$1.00	\$5.00	\$7.00	\$7.50	\$8.00	\$10	\$15	\$20	\$25	\$50
Disorderly conduct	128	2	31	...	...	1	58	18	7	9	2
Frequenter or inmate disorderly house	74	...	13	3	2	...	35	16	1	4	...
Keeping and maintaining disorderly house	3	...	...	...	...	...	3	...	...	...	...
Male bawd	2	...	2	...	...	...	...	...	...	...	...
Soliciting and disorderly conduct	1	...	...	...	...	...	1	...	...	...	...
TOTAL	208	2	46	3	2	1	97	34	8	13	2

<sup>1</sup> Data furnished by Statistician of Municipal Court, Philadelphia.

<sup>2</sup> One woman was fined for disorderly conduct. Amount not stated. It is not the practice to fine women.

<sup>3</sup> Forty-three offenders paid costs as well as fines specified.

TABLE 4. INCIDENCE OF VENEREAL DISEASE IN CASES OF WOMEN SEX OFFENDERS ARRAIGNED IN THE WOMEN'S MISDEMEANANTS' DIVISION, PHILADELPHIA, JANUARY 1 TO JUNE 30, 1920<sup>1</sup>

OFFENSE	TOTAL AR-RAIGNED <sup>2</sup>	TOTAL EXAMINED	INFECTED					NOT IN-FECTED	NOT EXAMINED OR RESULTS UNSATISFACTORY	
			Total	Per Cent of Total Examined	Gonorrhea	Syphilis	Gonorrhea and Syphilis		Number	Per Cent
Disorderly street walking	285	277	178	64.2	52	81	45	99	8	2.8
Disorderly conduct	174	166	81	48.7	34	23	24	85	8	4.5
Frequent or inmate disorderly house	168	160	85	53.1	39	32	14	75	8	4.7
Keeping and maintaining disorderly house	51	45	28	62.2	9	11	8	17	6	11.7
Incorrigibility	70	66	33	50.	25	7	1	33	4	5.7
Runaway	64	58	24	41.3	15	4	5	34	6	9.3
Incorrigibility and runaway	23	23	11	47.8	7	3	1	12	...	...
Disorderly child	32	28	15	53.5	12	2	1	13	4	12.5
Miscellaneous sex offenses	1	1	...	...	...	...	...	1	...	...
TOTAL	868	824	455	55.2	193	163	99	369	44	4.

<sup>1</sup> Data furnished by Statistician of Municipal Court, Philadelphia.

<sup>2</sup> The discrepancies between these totals and the totals in Table 1 occur because of over-lapping in classification and differences in terminology.



TABLE 5. MENTAL CONDITION OF CASES OF WOMEN SEX OFFENDERS ARRAIGNED IN WOMEN'S MISDEMEANANTS' DIVISION, PHILADELPHIA, JANUARY 1 TO JUNE 30, 1920<sup>1</sup>

OFFENSE	TOTAL AR- RAIGNED <sup>2</sup>	TOTAL EXAM- INED	NORMAL <sup>3</sup>		DEVIATING FROM NORMAL						NOT EXAMINED		
			Num- ber	Per Cent	Re- tarded <sup>4</sup>	Border Line <sup>4</sup>	Morons <sup>5</sup>	Psy- cho- soses	Psycho- neuroses and Neuroses	Consti- tutional Psycho- pathic Inferior	Epileptic	Num- ber	Per Cent
Disorderly street walking	286	246	167	67.8	9	1	3	...	7	58	1	40	13.9
Disorderly conduct	173	149	85	57.	9	2	1	...	4	47	1	24	13.2
Frequent or inmate disorderly house	183	130	93	71.5	...	...	1	...	3	33	...	53	20.8
Keeping and maintaining disorderly house	36	35	24	68.5	...	...	...	1	2	8	...	1	2.7
Incorrigibility	71	66	28	42.4	8	...	...	...	2	28	...	5	7.
Runaway	63	61	27	44.2	3	4	...	...	1	26	...	2	3.1
Incorrigibility and runaway	23	22	10	45.4	2	1	1	...	1	7	...	1	4.3
Disorderly child	32	30	13	43.3	4	...	...	...	...	13	...	2	6.2
Miscellaneous sex offenses	1	1	...	...	...	...	...	...	...	1	...	...	...
TOTAL	838	740	447	60.4	35	8	6	1	20	221	2	128	14.7

<sup>1</sup> Data furnished by Statistician of Municipal Court, Philadelphia.

<sup>2</sup> The discrepancies between these totals and the totals in Table 1 occur because of over-lapping in classification and differences in terminology.

<sup>3</sup> This classification is based upon estimate formed by psychiatrist in 15- to 30-minute interviews with each girl or woman. This practice is fully described on pp. 50-51.

<sup>4</sup> Includes individuals who are not feeble-minded, but who are retarded mentally in consequence of physical defects or poor environmental conditions, such as language defects, lack of opportunity, etc., (Statistician of Municipal Court).

<sup>5</sup> Probably feeble-minded, mental age above 145 months, I. Q. 75-89, (Statistician of Municipal Court).

<sup>6</sup> Mental age 84 to 144 months, I. Q. 50-74, (Statistician of Municipal Court).

TABLE 6. DISPOSITION OF CASES OF SEX OFFENDERS ARRAIGNED

OFFENSE		TOTAL ARRAIGNED	NATURE OF DISPOSITION—SUMMARY					
			DISCHARGED	PROBATION	COMMITTED		FINE AND COSTS	OTHER DISPOSITIONS
					Correc-tional institu-tions	Hos-pitals		
Disorderly street walking	M F	4 566	2 75	149	283	49	2 ...	10 ...
Disorderly conduct	M F	604 309	292 65	24 121	26 59	1 56	234 1	27 7
Frequenter or inmate disorderly house	M F	571 327	384 99	9 87	13 85	.. 42	123 2	42 12
Keeping and maintaining disorderly house	M F	134 95	87 39	3 14	3 13	.. 5	5 ...	56 24
Pandering	M F	12 ...	3 ..	1 ...	5 ...	... ...	... ...	3 ...
Fornication	M F	14 ...	8 ..	... ...	... ...	... ...	1 ...	5 ...
Adultery	M F	1 ...	... ...	... ...	... ...	... ...	... ...	1 ...
Male bawd	M F	12 ...	2 ...	1 ...	3 ...	... ...	2 ...	4 ...
Soliciting for immoral purposes	M F	9 ...	5 ...	... ...	2 ...	... ...	2 ...	... ...
Incorrigibility <sup>1</sup>	M F	... 146	... 12	... 78	... 14	... 41	... ...	... 1
Runaway <sup>2</sup>	M F	... 129	... 14	... 57	... 16	... 38	... ...	... 4
Disorderly child	M F	... 76	... 6	... 34	... 15	... 19	... ...	... 1 2
Violation of probation								
Disorderly street walking	M F	... 27	... 2	... 9	... 10	... 4	... ...	... 2
Disorderly conduct	M F	... 15	... ...	... 6	... 7	... 2	... ...	... ...
Frequenter or inmate disorderly house	M F	... 6	... ...	... 3	... 2	... 1	... ...	... ...
Incorrigibility	M F	... 45	... 3	... 17	... 11	... 13	... ...	... 1
Runaway	M F	... 22	... ...	... 9	... 7	... 5	... ...	... 1
Miscellaneous sex offenses	M F	... 16	... ...	... 5	... 8	... 3	... ...	... ...
Miscellaneous sex offenses	M F	... 15	... 3	... 3	... 6	... ...	... 1	... 2
TOTAL	M F	1362 1794	763 318	38 592	52 536	1 278	369 4	139 66
GRAND TOTAL		3156	1081	630	588	279	373	205

<sup>1</sup> This table is based on Tables 7 and 32 in the report of the Women's Misdemeanants' Division of the Municipal Court, for 1920, omitting therefrom the following offenses: drunkenness; illegal sale, purchase or possession of drugs; larceny; witness; protection and miscellaneous. Certain classifications occurring in Table 1, covering dispositions of sex offenders during the first six months of 1920, are omitted by the Statistician of the Municipal Court in the tabulations for the year. In

# IN WOMEN'S MISDEMEANANTS' DIVISION, PHILADELPHIA, 1920<sup>1</sup>

NATURE OF DISPOSITION—DETAIL														TOTAL NUMBER CONVICTED	PER CENT CONVICTED	
COMMITTED TO CORRECTIONAL INSTITUTIONS						COMMITTED TO OTHER INSTITUTIONS				PROBATION						
House of Correction	County Prison	House of Good Shepherd	Slighton Farms	State Industrial Home for Women	Saint Joseph's Protectory	Gynecean Hospital	Philadelphia General Hospital	Door of Hope	Women's Misdeameants Division, House of Detention	Regular	Medical	To leave town	Continued			
													Reg-ular	Med-ical		
263	...	16	2	2	...	42	5	...	2	80	52	10	4	3	232	50.76.3
25 38	1	...	...	...	...	...	1	...	...	24 81	...	...	...	...	284 181	47.58.5
13 72	...	8	4	...	1	36	5	...	1	9 57	20	6	3	1	145 174	25.353.2
3 12	...	1	...	...	...	5	...	...	...	3 6	8	...	...	...	11 27	8.228.4
5	...	...	...	...	...	...	...	...	...	1	...	...	...	...	6	50.
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	12.5
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
3	...	...	...	...	...	...	...	...	...	1	...	...	...	...	6	50.
2	...	...	...	...	...	...	...	...	...	...	...	...	...	...	4	44.4
...	...	5	4	1	4	32	...	5	4	60	12	4	2	...	92	63.
1	...	13	2	...	...	34	...	3	1	44	1	11	1	...	73	56.5
7	...	1	6	...	1	17	1	1	...	25	5	1	2	1	49	64.4
6	...	3	1	...	...	4	...	...	...	2	4	...	3	...	19	70.
1	...	4	1	1	...	2	...	...	...	...	3	...	3	...	13	86.6
...	...	2	...	...	...	1	...	...	...	...	1	...	2	...	5	83.3
...	...	2	7	2	...	13	...	...	...	1	2	...	14	...	28	62.2
1	...	5	...	1	...	4	...	1	...	4	...	...	3	2	16	72.7
2	...	2	3	1	...	3	...	...	...	...	...	...	5	...	13	81.2
6	...	...	...	...	...	...	...	...	...	...	2	1	...	...	10	60.
51 409	1 ...	76 37	37 8	8 6	6	244	15	10	9	38 360	133	43	47	9	459 1132	33.763.
460	1	76	37	8	6	244	16	10	9	398	133	43	47	9	1591	50.4

Table 1, 14 men are listed under the heading "Failed to appear," 1 under "Escaped," and 2 under "Probation to leave town." Apparently these men are grouped in other columns for the year.

<sup>2</sup> An incorrigible or runaway may or may not be a sex offender.

<sup>3</sup> These refer to cases "released on bail," "continued indefinitely," "transferred to Juvenile Division," etc.

TABLE 7. DISPOSITION OF CASES OF SEX OFFENDERS ARRAIGNED IN CRIMINAL DIVISION (JURY) OF MUNICIPAL COURT, PHILADELPHIA, JANUARY 1 TO JUNE 30, 1920<sup>1</sup>

OFFENSE	TOTAL ARRAIGNED	TOTAL CONVICTED	PER CENT CONVICTED	DISCHARGED	NOLLE PROS.	RECOGNIZANCE FORFEITED	SUSPENDED SENTENCE	PROBATION	FINED <sup>3</sup>	COMMITTED TO HOUSE OF CORRECTION <sup>4</sup>	COMMITTED TO COUNTY PRISON <sup>4</sup>	EXPENSES <sup>5</sup>
Adultery	M 13 F 9	2 2 22.2	15.3 22.2	9 5	1 2	1 ...	... ...	... 1	1 1	... ...	1 ...	... ...
Fornication	M 7 F 2	1 ...	14.2 ...	4 2	2 ...	... ...	... ...	... ...	1 ...	... ...	... ...	... ...
Fornication and bastardy	M 112 F ...	91 ...	81.2 ...	20 ...	1 ...	... ...	3 ...	... ...	... ...	... ...	... ...	88 ...
Keeper, inmate, or frequenter, bawdy house	M 36 F 13	9 5	25. 38.5	23 7	3 1	1 ...	1 2	... 2	1 ...	1 1	6 1	... ...
Pandering	M 4 F ...	... ...	... ...	3 ...	1 ...	... ...	... ...	... ...	... ...	... ...	... ...	... ...
TOTAL	M 172 F 24	103 7	69.8 29.1	59 14	8 3	2 ...	4 2	... 3	3 1	1 ...	7 1	88 ...
GRAND TOTAL	196	110	66.1	73	11	2	6	3	4	1	8	88

<sup>1</sup>Compiled by investigator from Fee and Record book in District Attorney's office, Philadelphia.

<sup>2</sup>Not separately designated in record.

<sup>3</sup>A man and a woman were each fined \$50 and costs and one man \$10 and costs. Amounts of other fines not recorded.

<sup>4</sup>Terms usually a year in length. One man committed to House of Correction 3 months and another 18 months. Occasionally persons committed were fined in addition. Of the nine men committed to an institution, six were paroled after serving from one third to one half their sentences.

<sup>5</sup>Expenses represent a weekly sum, usually \$3.00 to \$4.00, which court orders defendant to pay to mother for 16 years. Lying-in expenses frequently are added to father's liability. Invariably the father is required to put up a \$500 bond.

TABLE 8. DISPOSITION OF CASES OF SEX OFFENDERS ARRAIGNED IN CRIMINAL DIVISION (JURY), MUNICIPAL COURT, PHILADELPHIA, 1920<sup>1</sup>

OFFENSE	TOTAL ARRAIGNED	TOTAL NUMBER CONVICTED	PER CENT CONVICTED	DISCHARGED	NOLLE PROS.	RECOGNIZANCE FORFEITED	SUBPEN- DENCE	PRO- BATION	FINED <sup>3</sup>	COM- MITTED TO HOUSE OF CORREC- TION <sup>4</sup>	COM- MITTED TO COUNTY PRISON <sup>4</sup>	EX- PENSES <sup>5</sup>
Adultery	M F 15 13	2 2	13.3 15.3	11 8	1 3	1 ...	...	...	1 1	...	1 ...	...
Fornication	M F 9 2	2 ...	22.2 ...	4 2	3 ...	...	...	1 ...	1 ...	...	...	...
Fornication and bastardy	M F 192 ...	150 ...	78.1 ...	40 ...	2 ...	...	3 ...	...	...	...	...	147 ...
Keeper, inmate or frequenter, bawdy house <sup>2</sup>	M F 49 33	13 10	26.5 30.3	31 21	4 2	1 ...	1 3	1 5	1 ...	1 ...	9 2	...
Pandering	M F 7 ...	1 ...	14.2 ...	5 ...	1 ...	...	...	...	...	...	1 ...	...
TOTAL	M F 272 48	168 12	61.9 25.	91 31	11 5	2 ...	4 3	2 6	3 1	1 ...	11 2	147 ...
GRAND TOTAL		180	56.2	122	16	2	7	8	4	1	13	147

<sup>1</sup> Compiled by investigator from Fee and Record book in District Attorney's office, Philadelphia.<sup>2</sup> Not separately designated in record.<sup>3</sup> A man and a woman were each fined \$50 and costs, and one man \$10 and costs. Amounts of other fines not recorded.<sup>4</sup> Terms usually a year in length. One man committed to House of Correction 3 months and another 18 months. Occasionally persons committed were fined in addition. Of the twelve men committed to an institution, six were paroled after serving from one third to one half their sentences.<sup>5</sup> Expenses represent a weekly sum, usually \$3.00 to \$4.00, which court orders defendant to pay to mother for 16 years. Lying-in expenses frequently are added to father's liability. Invariably the father is required to put up a \$500 bond.



TABLE 10. RELATION BETWEEN NUMBER OF TIMES WOMEN ARRAIGNED IN WOMEN'S MISDEMEANANTS' DIVISION IN FIRST THREE MONTHS OF 1920 HAD BEEN PLACED UPON PROBATION AND THE NUMBER OF TIMES THEY HAD EVER BEEN ARRAIGNED IN THIS DIVISION

NUMBER OF TIMES ON PROBATION	TOTAL NUMBER OF WOMEN	NUMBER OF TIMES ARRAIGNED ON A NEW CHARGE						
		1	2	3	4	5	6	7
1	47	3	30	6	3	1	4	...
2	49	...	22	17	5	4	1	...
3	19	...	...	5	8	2	2	2
4	5	...	...	...	1	2	2	...
5	2	...	...	...	...	...	1	1
6	1	...	...	...	...	...	1	...
TOTAL	123	3	52	28	17	9	11	3

TABLE 11. DISPOSITION OF FIRST ONE HUNDRED CASES (WOMEN) ARRAIGNED IN 1920 IN THE WOMEN'S MISDEMEANANTS' DIVISION, PHILADELPHIA, SHOWING NUMBER OF CONTINUANCES PRECEDING FINAL DISPOSITION

DISPOSITION	TOTAL	NUMBER OF CONTINUANCES		
		No Con- tinuances	Continued Once	Continued Twice
Discharged	7	5	2	...
\$500 Bail for Court	1	1	...	...
Probation	34	25	8	1
Gynecean Hospital	19	16	2	1
Door of Hope	1	1	...	...
House of Good Shepherd	3	3	...	...
House of Correction	35	27	6	2
TOTAL	100	78	18	4

TABLE 12. DISPOSITION OF FIRST ONE HUNDRED CASES (WOMEN) ARRAIGNED IN 1920 IN THE WOMEN'S MISDEMEANANTS' DIVISION, PHILADELPHIA, SHOWING INTERVAL OF TIME BETWEEN ARREST AND FINAL DISPOSITION

Disposition	Total	Less than 1 day	1 day	2 days	3 days	4 days	5 days	6 days	7 days	8 days	10 days	14 days	15 days	19 days	22 days	58 days	63 days	92 days
Discharged	7	...	1	2	3	...	...	...	1	...	...	...	...	...	...	...	...	...
\$500 bail for court	1	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...
Probation	34	1	...	7	7	7	1	2	5	...	...	...	1	1	1	...	...	1
Gynecean Hospital	19	2	2	2	4	3	...	...	4	2	...	...	...	...	...	...	...	...
Door of Hope	1	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	...
House of Good Shepherd	3	...	...	1	...	...	...	1	1	...	...	...	...	...	...	...	...	...
House of Correction	35	...	7	4	14	5	...	1	...	...	1	1	...	...	...	1	1	...
Total	100	3	10	16	29	16	1	4	11	2	1	1	1	1	1	1	1	1



TABLE 13. RELATION OF NUMBER OF CONTINUANCES OF CASES OF TWENTY-TWO WOMEN TO INTERVALS OF TIME BETWEEN ARREST AND FINAL DISPOSITION <sup>1</sup>

TIME INTERVALS	TOTAL	NUMBER OF CONTINUANCES	
		1	2
2 days	2	2	...
3 days	8	8	...
4 days	4	4	...
6 days	1	1	...
7 days	2	1	1
8 days	1	...	1
10 days	1	1	...
14 days	1	...	1
55 days	1	1	...
63 days	1	...	1
TOTAL	22	18	4

<sup>1</sup> Based on Tables 11 and 12.

TABLE 14. AGE AND COLOR OF CASES HELD IN DETENTION HOUSE OF WOMEN'S MISDEMEANANTS' DIVISION, JANUARY 1 TO MARCH 31, 1920 <sup>1</sup>

AGE	TOTAL	WHITE	COLORS
16-21 years	264	210	54
22-25 "	178	108	70
26-30 "	94	63	31
31-35 "	33	23	10
36-40 "	35	29	6
41 up	15	9	6
Not given	18	18	...
TOTAL	637	460	177

<sup>1</sup> Compiled from Superintendent's record book.

**TABLE 15. LENGTH OF DETENTION OF CASES HELD IN WOMEN'S MIS-  
DEMEANANTS' DIVISION, JANUARY 1 TO MARCH 31, 1920<sup>1</sup>**

NUMBER DAYS DETAINED <sup>2</sup>	TOTAL	WHITE	COLORED
1 day <sup>3</sup>	27	23	4
2 days	94	69	25
3 "	72	43	29
4 "	127	76	51
5 "	89	63	26
6-10 "	138	106	32
11-15 "	35	28	7
16-20 "	18	16	2
21-25 "	6	5	1
26-30 "	2	2	...
31-40 "	5	5	...
41-50 "	7	7	...
51-60 "	5	5	...
61-70 "	6	6	...
71-80 "	3	3	...
81-90 "	1	1	...
Not given	1	1	...
TOTAL	636 <sup>4</sup>	459	177

<sup>1</sup> Compiled from Superintendent's record book.

<sup>2</sup> Day of admission and day of discharge counted as whole day.

<sup>3</sup> Usually bail cases.

<sup>4</sup> One white girl, not included in this list, was held five months and eighteen days.

TABLE 16. JUDGES PRESIDING IN WOMEN'S MISDEMEANANTS' DIVISION, MUNICIPAL COURT OF PHILADELPHIA, 1917 TO 1920

	1917	1918	1919	1920
JANUARY.....	Gilpin	Gilpin Brown Brown Gilpin Gilpin Brown Brown Gilpin Gilpin Wheeler	Brown	Gorman
FEBRUARY.....	Gilpin	Wheeler Gilpin	Brown Bartlett McNichol Bartlett	Gorman Mac Neille Gorman
MARCH.....	Gilpin	Gorman Wheeler Cassidy	McNichol	Mac Neille
APRIL.....	Gilpin	Cassidy Gilpin Gilpin Cassidy Cassidy Gilpin Gilpin Brown	McNichol Brown Gorman	Mac Neille
MAY.....	Gilpin Brown Gilpin Brown Gilpin	Gorman	Gorman	Mac Neille
JUNE.....	Gilpin	Gorman Brown Gorman	McNichol Bartlett McNichol Bartlett McNichol	Mac Neille Gorman
JULY.....	Gilpin Brown Gilpin	Gorman	McNichol Brown McNichol	Gorman
AUGUST.....	Gilpin Brown Gilpin	Gorman Mac Neille	Mac Neille	Gorman Cassidy
SEPTEMBER.....	Gilpin	Gorman	Mac Neille	Cassidy Mac Neille
OCTOBER.....	Wheeler	No court Oct. 2 to Nov. 8 (influenza epidemic)	Mac Neille	Mac Neille
NOVEMBER.....	Wheeler Gilpin Brown Gilpin	Brown	Mac Neille Bartlett Gorman	McNichol
DECEMBER.....	Brown Gilpin Brown Gilpin Gilpin Brown Brown Gilpin Gilpin	Brown	Gorman	McNichol

TABLE 17. STUDY OF SOCIAL HISTORIES OF FIFTY WOMEN PLACED UPON PROBATION DURING THE FIRST SIX MONTHS OF 1920<sup>1</sup>

OFFENSE		TOTAL NUMBER OF PROBA- TIONERS	COLOR AND NATIONALITY								AGE AT TIME OF ARREST								
			Color		NATIONALITY					15-19 YEARS	20-24 YEARS	25-29 YEARS	30-34 YEARS	35-39 YEARS	40-44 YEARS	Over 50 YEARS			
					White	Col- ored	Ameri- can	Eng- lish	Irish								Italian	Polish Jewish	Hun- garian
Disorderly street walking	17	12	5	14	1	1	...	...	1	1	5	5	1	1	3	1			
Disorderly conduct	13	13	...	13	...	...	...	...	...	2	8	1	1	1	...	...			
Violation of probation	5	4	1	4	...	...	1	...	...	4	...	1	...	...	...	...			
Incorrigibility	3	3	...	3	...	...	...	...	...	2	1	...	...	...	...	...			
Runaway	2	2	...	2	...	...	...	...	...	1	1	...	...	...	...	...			
Incorrigibility and runaway	2	2	...	2	...	...	...	...	...	2	...	...	...	...	...	...			
Inmates disorderly house	2	2	...	1	...	...	...	1	...	...	1	1	...	...	...	...			
Keepers disorderly house	1	...	1	1	...	...	...	...	...	...	...	...	...	1	...	...			
Frequenters disorderly house	1	1	...	1	...	...	...	...	...	...	...	1	...	...	...	...			
Incorrigibility and violation of probation	1	1	...	1	...	...	...	...	...	1	...	...	...	...	...	...			
Incorrigibility and disorderly conduct	1	1	...	1	...	...	...	...	...	1	...	...	...	...	...	...			
Drunk and disorderly conduct	1	1	...	1	...	...	...	...	...	...	...	...	...	1	...	...			
Contempt of court	1	1	...	1	...	...	...	...	...	...	...	...	...	...	1	...			
TOTAL	50	43	7	45	1	1	1	1	1	14	16	9	2	4	4	1			

<sup>1</sup> Based upon the study of fifty cases placed upon probation during this period. For discussion see pp. 52-66.

TABLE 17. STUDY OF SOCIAL HISTORIES OF FIFTY WOMEN PLACED UPON PROBATION DURING THE FIRST SIX MONTHS OF 1920—Continued

OFFENSE	TOTAL NUMBER OF PROBA- TIONERS	CIVIL CONDITION AT TIME OF ARREST						RELIGION					
		SINGLE	MAR- RIED	WIDOW	MAR- RIAGE UNVER- IFIED	COMMON- LAW MAR- RIAGE	WIDOW OF COMMON- LAW MAR- RIAGE	ROMAN CATH- OLIC	PRO- TEST- ANT	JEWISH	GREEK CATH- OLIC	No CHURCH	Not Stated
Disorderly street walking	17	4	6	3	1	1	2	3	8	...	1	...	5
Disorderly conduct	13	5	5	2	1	...	...	5	4	2	...	1	1
Violation of probation	5	4	...	1	...	...	...	4	...	...	...	1	...
Incorrigibility	3	3	...	...	...	...	...	2	1	...	...	...	...
Runaway	2	1	...	...	1	...	...	2	...	...	...	...	...
Incorrigibility and runaway	2	2	...	...	...	...	...	1	1	...	...	...	...
Inmates disorderly house	2	1	1	...	...	...	...	...	1	1	...	...	...
Keepers disorderly house	1	...	...	...	...	1	...	...	1	...	...	...	...
Frequenters disorderly house	1	...	1	...	...	...	...	...	...	...	...	...	1
Incorrigibility and violation of probation	1	1	...	...	...	...	...	...	1	...	...	...	...
Incorrigibility and disorderly conduct	1	...	1	...	...	...	...	1	...	...	...	...	...
Drunk and disorderly conduct	1	...	1	...	...	...	...	...	...	...	...	...	1
Contempt of court	1	...	...	...	...	1	...	1	...	...	...	...	...
TOTAL	50	21	15	6	3	3	2	19	17	3	1	2	8

TABLE 17. STUDY OF SOCIAL HISTORIES OF FIFTY WOMEN PLACED UPON PROBATION DURING THE FIRST SIX MONTHS OF 1920 —Continued

OFFENSE	TOTAL NUMBER OF PROBATIONERS	AGE AT LEAVING SCHOOL						SCHOOL GRADE COMPLETED												
		12 YEARS	13 YEARS	14 YEARS	15 YEARS	16 YEARS	17 YEARS	NEVER ATTENDED SCHOOL	NOT STATED	THIRD GRADE	FOURTH GRADE	FIFTH GRADE	SIXTH GRADE	SEVENTH GRADE	EIGHTH GRADE	NINTH GRADE	FIRST YEAR HIGH SCHOOL	SECOND YEAR HIGH SCHOOL	NEVER ATTENDED SCHOOL	NOT GIVEN
Disorderly street walking	17	3	4	3	2	4	...	1	...	...	3	...	5	3	3	...	1	...	1	1
Disorderly conduct	13	...	...	7	3	1	1	1	...	1	1	...	4	2	3	1	...	...	1	...
Violation of probation	5	...	...	2	2	1	...	...	...	1	...	1	1	...	2	...	...	...	...	...
Incorrigibility	3	...	...	1	...	2	...	...	...	...	...	...	1	1	1	...	...	...	...	...
Runaway	2	1	...	...	...	1	...	...	...	1	...	...	...	1	...	...	...	...	...	...
Incorrigibility and runaway	2	...	...	1	...	1	...	...	...	...	...	...	...	1	1	...	...	...	...	...
Inmates disorderly house	2	...	...	...	...	...	1	1	...	...	...	...	...	1	1	...	...	1	...	...
Keepers disorderly house	1	...	...	...	...	1	...	...	...	...	...	...	...	...	1	...	...	...	...	...
Frequenters disorderly house	1	...	...	1	...	...	...	...	...	...	1	...	...	...	...	...	...	...	...	...
Incorrigibility and violation of probation	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Incorrigibility and disorderly conduct	1	...	...	...	1	...	...	...	...	...	1	...	...	...	...	...	...	...	...	...
Drunk and disorderly conduct	1	...	...	...	...	...	...	...	1	...	...	...	1	...	...	...	...	...	...	1
Contempt of court	1	...	...	1	...	...	...	...	...	...	...	...	...	1	...	...	...	...	...	...
TOTAL	50	4	4	17	8	11	2	3	1	3	6	1	13	8	11	1	1	1	3	2

TABLE 17. STUDY OF SOCIAL HISTORIES OF FIFTY WOMEN PLACED UPON PROBATION DURING THE FIRST SIX MONTHS OF 1920 —Concluded

PHILADELPHIA MUNICIPAL COURT

103

OFFENSE	TOTAL NUMBER OF PROBA- TIONERS	MANNER OF LIVING AT TIME OF ARREST										CHILDREN												
		WITH PARENTS	WITH HUSBAND	WITH RELATIVE	KEEPING HOUSE	BOARDING HOUSE	AT PLACE OF EM- PLOYMENT	WITH LOVER	NOT STATED	LEGITIMACY AND NUMBER OF CHILDREN														
										Legitimate					Illegitimate					Legitimacy not Established				
										None	1 child	2 chil- dren	3 chil- dren	4 chil- dren	1 child	2 chil- dren	1 child	2 chil- dren	1 child	2 chil- dren	3 chil- dren			
Disorderly street walking	17	3	2	7	...	4	...	...	1	6	1	1	1	1	2	...	3	1	1					
Disorderly conduct	13	5	1	...	1	6	...	...	...	6	1	...	...	...	1 <sup>2</sup>	...	5	...	...					
Violation of probation	5	2	...	1	...	1	...	1	...	4	...	...	...	...	1	...	...	...	...					
Incorrigibility	3	3	...	...	...	...	...	...	...	2	...	...	...	...	1	...	...	...	...					
Runaway	2	...	...	...	...	1	1	...	...	1	...	...	...	...	...	1	...	...	...					
Incorrigibility and runaway	2	2	...	...	...	...	...	...	...	2	...	...	...	...	...	...	...	...	...					
Inmates disorderly house	2	...	1	...	...	1	...	...	...	1	1	...	...	...	...	...	...	...	...					
Keepers disorderly house	1	...	...	...	1	...	...	...	...	1	...	...	...	...	...	...	...	...	...					
Frequenters disorderly house	1	...	...	...	1	...	...	...	...	...	...	...	1	...	...	...	...	...	...					
Incorrigibility and violation of probation	1	1	...	...	...	...	...	...	...	1	...	...	...	...	...	...	...	...	...					
Incorrigibility and disorderly conduct	1	1	...	...	...	...	...	...	...	1	...	...	...	...	...	...	...	...	...					
Drunk and disorderly conduct	1	...	...	...	...	...	...	...	1	...	...	...	...	...	...	...	1	...	...					
Contempt of court	1	...	1	...	...	...	...	...	...	...	...	...	...	...	1 <sup>2</sup>	...	...	...	...					
TOTAL	50	17	5	8	3	13	1	1	2	25	3	1	2	1	6 <sup>2</sup>	1	9	1	1					

<sup>2</sup> One probationer had one illegitimate and two legitimate children.

<sup>3</sup> One probationer had one illegitimate and six legitimate children.

TABLE 18. PREVIOUS AND SUBSEQUENT ARRAIGNMENTS

OFFENSE	TOTAL NUMBER OF PROBA- TIONERS	NUMBER OF PREVIOUS ARRAIGNMENTS							NUMBER OF SUBSEQUENT ARRAIGN- MENTS IN WOMEN'S MISDEMEANANTS' DIVISION UP TO OCTOBER 1, 1921				
		0	1	2	3	4	10	0	1	2	3	4	
Disorderly street walking	17	10	5	1	...	1	...	12	4	1	...	...	
Disorderly conduct	13	9	1	2	...	...	1	9	3	...	1	...	
Violation of probation	5	...	2	2	1	...	...	3	2	...	...	...	
Incorrigibility	3	2	1	...	...	...	...	2	1	...	...	...	
Runaway	2	2	...	...	...	...	...	1	...	1	...	...	
Incorrigibility and runaway	2	2	...	...	...	...	...	2	...	...	...	...	
Inmate disorderly house	2	...	2	...	...	...	...	2	...	...	...	...	
Keeper disorderly house	1	...	...	1	...	...	...	...	1	...	...	...	
Frequenter disorderly house	1	1	...	...	...	...	...	...	1	...	...	...	
Incorrigibility and violation of probation	1	...	1	...	...	...	...	1	...	...	...	...	
Incorrigibility and disorderly conduct	1	1	...	...	...	...	...	...	1	...	...	...	
Drunk and disorderly conduct	1	...	1	...	...	...	...	...	...	...	...	1	
Contempt of court	1	1	...	...	...	...	...	...	1	...	...	...	
TOTAL	50	28	13	6	1	1	1	32	14	2	1	1	



TABLE 19. INCIDENCE OF VENEREAL DISEASE AMONG FIFTY WOMEN PLACED UPON PROBATION DURING THE FIRST SIX MONTHS OF 1920<sup>1</sup>

OFFENSE	TOTAL NUMBER PROBA- TIONERS	EXAMINED			RESULTS							
		For gonor- rhea and syphilis	For gonor- rhea only	For syphilis only	INFECTED			NOT INFECTED				
					Both gonorrhea and syphilis	Gonor- rhea only	Syphilis only	Of those examined for gonor- rhea and syphilis	Of those examined for gonorrhea only	Of those examined for syphilis only	Inde- cise ive	Not exam- ined
Disorderly street walking	17	17	...	...	4	1	7	5	...	...	...	...
Disorderly conduct	13	11	...	2	...	1	3	5	...	2	2	...
Violation of probation	5	3	...	2	...	1	2	2	...	...	...	...
Incorrigibility	3	2	...	...	...	1	...	1	...	...	...	1
Runaway	2	2	...	...	1	...	...	1	...	...	...	...
Incorrigibility and runaway	2	1	1	...	...	...	...	1	1	...	...	...
Inmate disorderly house	2	1	...	...	1	...	...	...	...	...	...	1
Keeper disorderly house	1	1	...	...	...	1	...	...	...	...	...	...
Frequent disorderly house	1	1	...	...	...	...	1	...	...	...	...	...
Incorrigibility and disorderly conduct	1	1	...	...	...	1	...	...	...	...	...	...
Incorrigibility and violation of proba- tion	1	1	...	...	...	...	...	1	...	...	...	...
Drunk and disorderly conduct	1	...	...	...	...	...	...	...	...	...	...	1
Contempt of court	1	1	...	...	...	...	...	1	...	...	...	...
TOTAL	50	42	1	4	6	6	13	17	1	2	2	3

<sup>1</sup> See footnote to Table 17.

TABLE 20. FREQUENCY OF CALLS AT HOME OF PROBATIONER IN RELATION TO NUMBER OF TIMES FOUND AT HOME

NUMBER OF TIMES OFFICER FOUND PROBATIONER	TOTAL NUMBER OF PROBATIONERS	NUMBER OF CALLS MADE AT PROBATIONER'S HOME									
		1	2	3	4	5	6	7	10	11	
0	18	8	5	2	...	1	...	1	1	...	
1	13	7	4	...	1	...	...	1	...	...	
2	5	...	...	3	...	2	...	...	...	...	
3	3	...	1	...	...	...	1	...	...	1	
TOTAL	39 <sup>1</sup>	15	10	5	1	3	1	2	1	1	

<sup>1</sup> Eleven homes were not called upon by probation officers.

TABLE 21. FREQUENCY OF CALLS AT HOME OF PROBATIONER IN RELATION TO NUMBER OF TIMES RELATIVE OR HOUSEKEEPER WAS FOUND AT HOME

NUMBER OF TIMES OFFICER FOUND RELATIVE OR HOUSEKEEPER	TOTAL NUMBER OF PROBATIONERS	NUMBER OF CALLS MADE AT PROBATIONER'S HOME								
		1	2	3	4	5	6	7	10	11
0	13	10	1	2	...	...	...	...	...	...
1	9	5	4	...	...	...	...	...	...	...
2	5	...	5	...	...	...	...	...	...	...
3	7	...	...	3	1	2	1	...	...	...
5	3	...	...	...	...	1	...	2	...	...
8	1	...	...	...	...	...	...	...	...	1
10	1	...	...	...	...	...	...	...	1	...
TOTAL	39 <sup>1</sup>	15	10	5	1	3	1	2	1	1

<sup>1</sup> Eleven homes were not called upon by probation officers.

TABLE 22. FREQUENCY OF PROBATIONER'S REPORTING IN PERSON IN RELATION TO NUMBER OF CALLS MADE BY PROBATION OFFICER, AND TO LENGTH OF PROBATION

NUMBER OF MONTHS ON PROBATION	TOTAL NUMBER OF PROBATIONERS	NUMBER OF TIMES PROBATIONER REPORTED IN PERSON																			NUMBER OF CALLS MADE BY OFFICER AT PROBATIONER'S HOME										
		0	1	2	3	4	5	6	7	8	9	10	11	12	17	18	19	20	23	0	1	2	3	4	5	6	7	10	11		
Up to 3 months	9	7	1	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	4 <sup>1</sup>	2	2	1	...	...	...	...	...	...		
4-6 months	14	3	1	7	1	...	1	1	...	...	...	...	...	...	...	...	...	...	...	2	5	3	2	1	1	...	...	...	...		
7-9 months	11	2	2	1	...	...	2	1	...	...	...	...	1	1	1	...	...	...	...	2	2	3	1	...	1	1	1	...	...		
10-12 months	11	3	...	...	1	1	...	...	...	1	2	1	...	...	...	...	1	1	1	2	4	1	1	...	1	...	1	...	1		
13-15 months	5	...	...	2	...	...	...	...	1	...	...	...	1	...	...	1	...	...	...	1	2	1	...	...	...	...	...	1	...		
TOTAL	50	15	4	10	3	1	1	3	1	1	1	2	1	2	1	1	1	1	1	11	15	10	5	1	3	1	2	1	1		

<sup>1</sup> One probationer was re-arrested on a new charge one week after being placed on probation.

TABLE 23. FREQUENCY OF PROBATIONER'S REPORTING BY LETTER IN  
RELATION TO LENGTH OF TIME ON PROBATION

NUMBER OF TIMES PROBATIONER REPORTED BY LETTER	TOTAL NUMBER OF PROBATIONERS	NUMBER OF MONTHS ON PROBATION				
		Up to 3	4-6	7-9	10-12	13-15
0	25	3	10	6	5	1
1	6	2	2	1	1	...
2	4	1	...	1	2	...
3	2	1	...	...	...	1
4	1	...	...	...	...	1
5	1	...	1	...	...	...
8	2	1	...	...	1	...
10	1	...	...	...	...	1
15	2	...	1	1	...	...
16	2	1	...	...	...	1
17	1	...	...	1	...	...
20	1	...	...	...	1	...
22	1	...	...	1	...	...
38	1	...	...	...	1	...
TOTAL	50	9	14	11	11	5

*Editors' Note.*—The tables following are reprinted without change of type from the Philadelphia Municipal Court Report for 1920, only the table numbers having been changed in order to follow the foregoing tables in proper sequence.

TABLE 24

## COURT EXPERIENCE

Women and Girls (Separate Individuals) Before This Court for the First Time and First Arrest

Line No.	Court experience	Number of women and girls				
		Total	Dis-orderly street walkings <sup>a</sup>	Inmate dis-orderly bawdy house <sup>d</sup>	Frequenting dis-orderly bawdy house	Dis-orderly child <sup>c</sup>
1	All individuals .....	1,736	489	147	39	69
2	Before this court for the first time .....	1,183	282	108	31	66
3	Never in any court before .....	1,054	257	100	30	52
4	With previous experience in other courts .....	129	25	8	1	13
5	Probation department, misdemeanants' division .....	1	—	—	—	1
6	Juvenile delinquent court .....	45	—	1	—	7
7	Juvenile dependent court .....	—	—	—	—	—
8	Domestic relations division .....	12	2	1	1	2
9	Criminal division .....	6	2	1	—	—
10	Magistrates' court .....	39	19	4	—	1
11	Federal courts .....	2	—	—	—	—
12	Courts in other cities .....	16	1	—	—	1
13	Juvenile delinquent and dependent courts .....	1	—	—	—	1
14	Juvenile delinquent and domestic relations divisions .....	2	1	—	—	—
15	Juvenile delinquent and Federal courts .....	2	—	—	—	—
16	Juvenile delinquent and criminal divisions .....	1	—	—	—	—
17	Juvenile dependent and court in other city .....	1	—	—	—	—
18	Domestic relations division and magistrates' courts .....	1	—	1	—	—
19	With previous experience in this court .....	558	207	39	8	4
20	Never in any other court before .....	363	133	25	5	2
21	With previous experience in other courts .....	190	74	14	3	2
22	Juvenile delinquent court .....	29	1	2	—	2
23	Juvenile dependent court .....	1	1	—	—	—

See footnotes on pp. 112-113.



TABLE 24—Concluded

## COURT EXPERIENCE

Women and Girls (Separate Individuals) Before This Court for the First Time and First Arrest

Line No.	Court experience	Number of women and girls				
		Total	Dis- orderly street walking <sup>3</sup>	Inmate dis- orderly bawdy house <sup>4</sup>	Fre- quenting dis- orderly bawdy house	Dis- orderly child <sup>5</sup>
25	Domestic relations division -----	5	—	—	—	—
26	Criminal division ..	3	1	—	—	—
27	Magistrates' courts	144	69	11	3	—
28	Federal courts -----	4	2	1	—	—
29	Courts in other cities -----	2	—	—	—	—
30	Juvenile delinquent and domestic rela- tions divisions ..	1	—	—	—	—
31	Juvenile dependent, domestic relations and criminal di- visions -----	1	—	—	—	—

<sup>1</sup> Individuals in court more than once in 1920 have been classified according to court experience at time of first arrest in 1920.

<sup>2</sup> Individuals arrested in 1919 and not disposed of until 1920 have been classified according to offense charged in 1919. Individuals brought in for "violating probation" and "contempt of court" have been classified according to offense charged prior to "violating probation" and "contempt of court."

<sup>3</sup> Includes disorderly street walking, disorderly street walking and larceny, and disorderly street walking and possession of narcotic drugs.

<sup>4</sup> Includes inmate of disorderly bawdy house, and inmate of and frequenting disorderly bawdy house, and soliciting and inmate of disorderly bawdy house.

<sup>5</sup> Includes disorderly child and disorderly child and runaway.



TABLE 24—Concluded

## AND OFFENSE—Concluded

With Previous Experience in This and Other Courts,<sup>1</sup> Classified by Offense Charged at  
in 1920<sup>2</sup>: 1920—Concluded

Line No.	Number of women and girls									
	Keep- ing dis- orderly bawdy house <sup>6</sup>	Dis- orderly con- duct <sup>7</sup>	Fre- ing and and inmate of dis- orderly house <sup>8</sup>	Drunk and dis- orderly	Drug cases <sup>9</sup>	In- corrigi- bility <sup>10</sup>	Run- way from home	Vio- lating proba- tion	Con- tempt of court	Other of- fenses <sup>11</sup>
25	—	1	—	—	—	—	1	3	—	—
26	—	—	—	—	1	—	—	1	—	—
27	10	12	4	12	12	—	—	6	1	4
28	1	—	—	—	—	—	—	—	—	—
29	1	1	—	—	—	—	—	—	—	—
30	—	—	—	—	—	—	—	1	—	—
31	—	1	—	—	—	—	—	—	—	—

<sup>6</sup> Includes keeping disorderly bawdy house and keeping and maintaining disorderly bawdy house.

<sup>7</sup> Includes disorderly conduct and idle and disorderly.

<sup>8</sup> Includes frequenting disorderly house, inmate of disorderly house, and inmate of and frequenting disorderly house.

<sup>9</sup> Includes illegal sale or purchase of narcotic drugs, illegal possession of narcotic drugs.

<sup>10</sup> Includes incorrigibility, incorrigibility and runaway, and incorrigibility and larceny.

<sup>11</sup> Includes larceny, keeping disorderly house, vagrancy, runaway from institution, witness, material witnesses, protection, fornication, harboring minors for immoral purposes, and adultery.

TABLE 25

Time Between Disposition and Arrest on New Charge: Cases Concerning Women With  
Between the Date of Last Previous Disposition and the Date Brought  
Offenders at the Time

Line No.	Status at time brought in on new charge	Number of cases				
		Total	Months elapsed between last previous disposition and appearance in court on a new charge			
			Less than 1 month	1 month but less than 2	2 months but less than 3	3 months but less than 6
1	Total (old offenders) -----	758	82	45	43	108
2	Released from the court's care -----	256	15	10	11	25
3	Discharged after court hearing -----	87	7	8	5	7
4	Dropped by the probation department, never in court ---	10	5	—	—	1
5	Discharged from probation ---	6	1	—	1	—
6	Probation satisfactory ---	4	—	—	1	—
7	Absconded -----	1	1	—	—	—
8	Medical probation satisfactory -----	1	—	—	—	—
9	Discharged from hospital -----	4	—	—	—	—
10	Philadelphia General Hospital -----	3	—	—	—	—
11	Gynceean Hospital -----	1	—	—	—	—
12	Discharged from correctional institution -----	148	2	2	4	17
13	House of correction -----	146	2	2	4	17
14	County prison -----	2	—	—	—	—
15	Fined -----	1	—	—	1	—
16	Pending disposition -----	28	6	—	2	2
17	Held under advisement -----	1	—	—	—	—
18	Continued until further notice -----	2	1	—	—	1
19	In house pending removal from city <sup>1 2</sup> -----	1	—	—	1	—
20	On bail for further hearing -----	1	—	—	—	—
21	Released under bail for criminal court <sup>3</sup> -----	20	2	—	1	1
22	Failed to appear, bench warrant issued -----	3	3	—	—	—
23	Under the court's care -----	474	61	35	30	81
24	On probation <sup>4</sup> -----	343	40	24	24	66
25	Under supervision (informal) by probation department -----	13	5	—	1	4

TABLE 25

Previous Records in This Division, Classified by the Number of Months Elapsed in On a New Charge or for Violating Probation, by the Status of the of Arrest: 1920

Line No.	Number of cases							
	Months elapsed between last previous disposition and appearance in court on a new charge							
	6 months but less than 9	9 months but less than 12	12 months but less than 18	18 months but less than 24	2 years but less than 3	3 years but less than 4	4 years but less than 5	5 years and over
1	124	89	72	70	73	28	22	2
2	39	29	26	26	42	19	12	2
3	8	9	2	8	11	12	9	1
4	—	1	—	—	—	2	1	—
5	2	—	—	—	1	—	1	—
6	1	—	—	—	1	—	1	—
7	—	—	—	—	—	—	—	—
8	1	—	—	—	—	—	—	—
9	—	—	2	—	1	1	—	—
10	—	—	1	—	1	1	—	—
11	—	—	1	—	—	—	—	—
12	29	19	22	18	29	4	1	1
13	29	19	22	18	29	3	—	1
14	—	—	—	—	—	1	1	—
15	—	—	—	—	—	—	—	—
16	2	3	2	8	2	—	1	—
17	—	1	—	—	—	—	—	—
18	—	—	—	—	—	—	—	—
19	—	—	—	—	—	—	—	—
20	1	—	—	—	—	—	—	—
21	1	2	2	8	2	—	1	—
22	—	—	—	—	—	—	—	—
23	83	57	44	36	29	9	9	—
24	53	45	29	28	20	7	7	—
25	1	—	—	1	1	—	—	—

TABLE 25—Concluded

Time Between Disposition and Arrest on New Charge: Cases Concerning Women With  
Between the Date of Last Previous Disposition and the Date Brought  
Offenders at the Time

Line No.	Status at time brought in on new charge	Number of cases				
		Total	Months elapsed between last previous disposition and appearance in court on a new charge			
			Less than 1 month	1 month but less than 2	2 months but less than 3	3 months but less than 6
26	On probation -----	224	23	17	15	35
27	On medical probation without treatment at Gyneccean Hospital -----	33	3	4	2	4
28	On medical probation following treatment at Gyneccean Hospital -----	71	9	3	6	23
29	Released from institution on probation -----	1	—	—	—	—
30	Released from Philadelphia General Hospital, insane department, on probation -----	1	—	—	—	—
31	On parole -----	101	7	7	5	11
32	From County Prison -----	1	—	—	—	—
33	From House of Correction -----	53	2	2	4	6
34	From House of Good Shepherd -----	35	4	3	1	4
35	From Sleighton Farm -----	11	1	2	—	1
36	From St. Joseph's Protectory -----	1	—	—	—	—
37	In institution <sup>1</sup> -----	14	9	1	—	3
38	Gyneccean Hospital <sup>1</sup> -----	10	8	1	—	1
39	House of detention <sup>1 2</sup> -----	1	—	—	—	—
40	Philadelphia General Hospital <sup>1</sup> -----	1	1	—	—	—
41	Door of Hope <sup>1</sup> -----	1	—	—	—	1
42	House of Good Shepherd <sup>1</sup> -----	1	—	—	—	1
43	Escaped -----	16	5	3	1	1
44	From Gyneccean Hospital -----	1	—	1	—	—
45	From Philadelphia General Hospital -----	1	—	1	—	—
46	From sheriff -----	1	—	1	—	—
47	From other institutions -----	13	5	—	1	1

<sup>1</sup> Brought into court for contempt of court.

<sup>2</sup> Women's misdemeanants' house of detention.

<sup>3</sup> This was the status so far as the misdemeanants' division was concerned.

This court has no record of the disposition of these cases in the criminal court.

TABLE 25—Concluded

Previous Records in This Division, Classified by the Number of Months Elapsed in On a New Charge or for Violating Probation, by the Status of the of Arrest: 1920—Concluded

Line No.	Number of cases							
	Months elapsed between last previous disposition and appearance in court on a new charge							
	6 months but less than 9	9 months but less than 12	12 months but less than 18	18 months but less than 24	2 years but less than 3	3 years but less than 4	4 years but less than 5	5 years and over
26	32	27	20	25	17	7	6	—
27	6	10	2	—	1	—	1	—
28	13	7	7	2	1	—	—	—
29	—	1	—	—	—	—	—	—
30	1	—	—	—	—	—	—	—
31	27	11	14	7	8	2	2	—
32	—	—	—	—	—	—	1	—
33	19	6	8	3	3	—	—	—
34	8	4	4	4	1	1	1	—
35	—	1	1	—	4	1	—	—
36	—	—	1	—	—	—	—	—
37	1	—	—	—	—	—	—	—
38	—	—	—	—	—	—	—	—
39	1	—	—	—	—	—	—	—
40	—	—	—	—	—	—	—	—
41	—	—	—	—	—	—	—	—
42	—	—	—	—	—	—	—	—
43	2	1	1	1	1	—	—	—
44	—	—	—	—	—	—	—	—
45	—	—	—	—	—	—	—	—
46	—	—	—	—	—	—	—	—
47	2	1	1	1	1	—	—	—

<sup>4</sup> It is probable that a number of these women and girls had absconded or had been discharged from probation.

TABLE 26

## DISPOSITION AND

Cases Disposed of at Court Hearings, Classified by Nature of Disposition and

Line No.	Disposition	Number of cases				
		Total	First offenders	Old offenders		
				Total	Number of times arrested	
					2 times	3 times
1	Total.....	1,941	1,183	758	362	181
2	Discharged .....	339	276	63	37	13
3	Outright .....	299	246	53	31	12
4	To marry .....	18	13	5	4	—
5	To leave town in care of individual .....	11	8	3	2	—
6	In care of individual .....	9	7	2	—	1
7	To leave district .....	2	2	—	—	—
8	Probation .....	647	436	211	114	45
9	Regular .....	398	310	88	48	17
10	With medical supervision ..	142	82	60	30	14
11	To leave town in care of individual .....	49	42	7	3	—
12	Probation continued .....	58	2	56	33	14
13	Regular .....	49	2	47	30	10
14	With medical supervision ..	9	—	9	3	4
15	Held in women's misdemeanants' house of detention for treatment .....	9	7	2	1	1
16	Committed to Gyneccean Hospital .....	258	165	93	59	23
17	Committed to correctional institution .....	587	231	356	135	95
18	House of Correction .....	452	181	271	97	72
19	House of Good Shepherd ..	83	30	53	26	14
20	Sleighton Farm .....	28	13	25	10	8
21	State Industrial Home for Women .....	8	2	6	1	1
22	St. Joseph's Protectory ..	6	5	1	1	—
23	Committed to other institutions .....	26	16	10	5	2
24	Philadelphia General Hospital .....	15	8	7	4	2
25	Door of Hope .....	10	8	2	1	—
26	St. Vincent's Home .....	1	—	1	—	—
27	Held under bail for criminal court .....	46	34	12	5	1
28	Continued indefinitely .....	15	10	5	2	1
29	Transferred to juvenile division ..	7	6	1	1	—
30	Fine and costs .....	4	2	2	1	—
31	All others .....	3	—	3	2	—

TABLE 26

## TIMES ARRESTED

Number of Times Arrested and Brought in Before This Division: 1920

Line No.	Number of cases							
	Old offenders							
	Number of times arrested							
	4 times	5 times	6 times	7 times	8 times	9 times	10 times	11 times
1	99	47	36	14	9	6	2	2
2	6	3	1	2	—	1	—	—
3	5	3	1	—	—	1	—	—
4	—	—	—	1	—	—	—	—
5	1	—	—	—	—	—	—	—
6	—	—	—	1	—	—	—	—
7	—	—	—	—	—	—	—	—
8	25	15	8	1	1	1	—	1
9	12	7	3	—	—	1	—	—
10	8	5	1	—	1	—	—	1
11	3	—	1	—	—	—	—	—
12	2	3	3	1	—	—	—	—
13	1	3	2	1	—	—	—	—
14	1	—	1	—	—	—	—	—
15	—	—	—	—	—	—	—	—
16	2	4	3	1	—	1	—	—
17	59	22	22	9	8	3	2	1
18	46	19	19	8	7	1	2	—
19	7	1	2	1	—	1	—	1
20	4	1	1	—	1	—	—	—
21	2	1	—	—	—	1	—	—
22	—	—	—	—	—	—	—	—
23	—	2	1	—	—	—	—	—
24	—	1	—	—	—	—	—	—
25	—	1	—	—	—	—	—	—
26	—	—	1	—	—	—	—	—
27	5	—	—	1	—	—	—	—
28	1	1	—	—	—	—	—	—
29	—	—	—	—	—	—	—	—
30	—	—	1	—	—	—	—	—
31	1	—	—	—	—	—	—	—

TABLE 27

## DISPOSITION AND STATUS

Cases Disposed of at Court Hearings, Classified by

Line No.	Status at time of arrest	Number of cases				
		Total	Dis- charged	Placed on probation or probation continued		
				Regular	With medical super- vision	To leave town
1	Total .....	1,941	339	447	151	49
2	First offenders .....	1,183	276	312	82	42
3	Old offenders .....	758	63	135	69	7
4	Released from court's care..	256	29	48	18	3
5	Discharged after court hearing	87	14	21	8	2
6	Dropped by probation depart- ment, never in court .....	10	—	6	—	—
7	Discharged from probation ..	6	2	1	—	—
8	Probation satisfactory .....	4	2	1	—	—
9	Absconded .....	1	—	—	—	—
10	Medical probation satis- factory .....	1	—	—	—	—
11	Discharged from hospital .....	4	—	1	1	—
12	Philadelphia General Hos- pital .....	3	—	1	1	—
13	Gynecean Hospital .....	1	—	—	—	—
14	Discharged from correctional institution .....	148	12	19	9	1
15	House of correction .....	146	12	19	9	1
16	County prison .....	2	—	—	—	—
17	Fined .....	1	1	—	—	—
18	Pending disposition.....	28	5	3	2	—
19	Held under advisement .....	1	1	—	—	—
20	Continued until further notice	2	—	—	—	—
21	In house pending removal from city <sup>1</sup> .....	1	—	—	—	—
22	On bail for further hearing...	1	—	—	—	—
23	Held under bail for criminal court <sup>3</sup> .....	20	4	2	2	—
24	Failed to appear, bench war- rant issued .....	8	—	1	—	—
25	Under the court's care .....	474	29	84	49	4
26	On probation <sup>4</sup> .....	313	21	69	38	2
27	Under supervision (informal) by probation department.	13	2	2	3	—



TABLE 27

AT TIME OF ARREST

Disposition and Status at Time of Arrest: 1920

Line No.	Number of cases									
	Committed to correctional institutions					Committed to other institutions				
	House of Correction	House of Good Shepherd	Sleighton Farm	State Industrial Home for Women	St. Joseph's Pro-tectory	Gyn-eean Hos-pital	Phila-delphia General Hos-pital	Door of Hope	Held under bail for criminal court	All others
1	452	83	38	8	6	258	15	10	46	39
2	181	30	13	2	5	165	8	8	34	25
3	271	53	25	6	1	93	7	2	12	14
4	120	11	3	1	—	13	2	—	5	3
5	25	3	1	—	—	7	1	—	3	2
6	1	2	—	—	—	1	—	—	—	—
7	1	—	1	—	—	—	—	—	—	1
8	1	—	—	—	—	—	—	—	—	—
9	—	—	—	—	—	—	—	—	—	1
10	—	—	1	—	—	—	—	—	—	—
11	1	—	1	—	—	—	—	—	—	—
12	1	—	—	—	—	—	—	—	—	—
13	—	—	1	—	—	—	—	—	—	—
14	92	6	—	1	—	6	1	—	2	—
15	90	6	—	1	—	5	1	—	2	—
16	2	—	—	—	—	—	—	—	—	—
17	—	—	—	—	—	—	—	—	—	—
18	10	3	—	—	—	2	—	—	3	—
19	—	—	—	—	—	—	—	—	—	—
20	1	—	—	—	—	—	—	—	1	—
21	—	1	—	—	—	—	—	—	—	—
22	—	1	—	—	—	—	—	—	—	—
23	8	1	—	—	—	1	—	—	2	—
24	1	—	—	—	—	1	—	—	—	—
25	141	39	22	5	1	78	5	2	4	11
26	88	26	16	4	1	65	2	2	3	6
27	1	—	1	—	—	4	—	—	—	—

TABLE 27—Concluded

## DISPOSITION AND STATUS

Cases Disposed of at Court Hearings, Classified by

Line No.	Status at time of arrest	Number of cases				
		Total	Dis- charged	Placed on probation or probation continued		
				Regular	With medical super- vision	To leave town
28	On probation -----	224	17	50	13	2
29	On medical probation with- out treatment at Gyn- ecean Hospital -----	33	—	—	13	—
30	On medical probation fol- lowing treatment at Gyn- ecean Hospital -----	71	2	16	9	—
31	Released from institution on probation -----	1	—	1	—	—
32	Released from Philadelphia General Hospital, insane department, on probation	1	—	—	—	—
33	On parole -----	101	8	12	4	1
34	From County Prison -----	1	—	—	1	—
35	From House of Correction--	53	4	8	3	—
36	From House of Good Shep- herd -----	35	3	2	—	1
37	From Sleighton Farm -----	11	1	1	—	—
38	From St. Joseph's Pro- tectory -----	1	—	1	—	—
39	In institutions <sup>1</sup> -----	14	—	2	3	1
40	Gynecean Hospital <sup>1</sup> -----	10	—	1	2	1
41	House of Detention <sup>1 2</sup> -----	1	—	—	1	—
42	Philadelphia General Hos- pital <sup>1</sup> -----	1	—	—	—	—
43	Door of Hope <sup>1</sup> -----	1	—	—	—	—
44	House of Good Shepherd <sup>1</sup> ..	1	—	1	—	—
45	Escaped -----	16	—	1	4	—
46	From Gynecean Hospital....	1	—	—	1	—
47	From Philadelphia General Hospital -----	1	—	—	—	—
48	From sheriff -----	1	—	—	—	—
49	From other institutions ---	13	—	1	3	—

<sup>1</sup> Brought into court for contempt of court.<sup>2</sup> Women's misdemeanants' house of detention.<sup>3</sup> This was the status so far as the misdemeanants' division was concerned. This court has no record of the disposition of these cases in the criminal court.

TABLE 27—Concluded

AT TIME OF ARREST—Concluded

Disposition and Status at Time of Arrest: 1920—Concluded

Line No.	Number of cases									
	Committed to correctional institutions					Committed to other institutions				
	of House Correction	House of Good Shepherd	Sleighton Farm	State Industrial Home for Women	St. Joseph's Protectors	Gyn-ecan Hos-pital	Phila-delphia General Hos-pital	Door of Hope	Held under bail for criminal court	All others
28	67	20	9	2	1	36	—	1	2	4
29	13	—	2	—	—	3	1	—	1	—
30	7	6	4	2	—	22	—	1	—	2
31	—	—	—	—	—	—	—	—	—	—
32	—	—	—	—	—	—	1	—	—	—
33	39	13	5	1	—	11	2	—	1	4
34	—	—	—	—	—	—	—	—	—	—
35	51	1	1	—	—	3	1	—	1	—
36	7	11	—	—	—	6	1	—	—	4
37	1	1	4	1	—	2	—	—	—	—
38	—	—	—	—	—	—	—	—	—	—
39	6	—	—	—	—	1	—	—	—	1
40	6	—	—	—	—	—	—	—	—	—
41	—	—	—	—	—	—	—	—	—	—
42	—	—	—	—	—	1	—	—	—	—
43	—	—	—	—	—	—	—	—	—	1
44	—	—	—	—	—	—	—	—	—	—
45	8	—	1	—	—	1	1	—	—	—
46	—	—	—	—	—	—	—	—	—	—
47	1	—	—	—	—	—	—	—	—	—
48	1	—	—	—	—	—	—	—	—	—
49	6	—	1	—	—	1	1	—	—	—

<sup>4</sup> It is probable that a number of these women and girls had absconded or had been discharged from probation.

TABLE 28

## MANNER OF BRINGING

Cases Disposed of at Court Hearings, Classified by Officials or Others

Line No.	Offense charged	Number of cases						
		Total	Arrests					
			Total	Vice squad	Police officer	Park guard	Detective bureau	Store detective
1	<b>All offenses.....</b>	<b>1,941</b>	<b>1,625</b>	<b>828</b>	<b>675</b>	<b>42</b>	<b>28</b>	<b>30</b>
2	Sex offenses .....	942	930	528	380	18	—	—
3	Disorderly street walking .....	566	500	367	190	1	—	—
4	Inmate of disorderly bawdy house .....	157	156	63	91	—	—	—
5	Frequenting disorderly bawdy house .....	41	39	16	23	—	—	—
6	Disorderly child .....	76	76	28	31	17	—	—
7	Keeping disorderly bawdy house .....	95	94	53	41	—	—	—
8	Other sex offenses .....	7	6	1	4	—	—	—
9	Disorderly conduct .....	306	295	188	86	17	3	—
10	Frequenting and inmate of disorderly house .....	127	125	45	79	—	1	—
11	Drunkenness .....	51	47	22	22	2	—	—
12	Illegal selling, buying, or possession of narcotic drugs .....	36	35	23	12	—	—	—
13	Incorrigibility .....	144	35	6	18	1	—	7
14	Runaway .....	128	92	9	55	3	17	1
15	Violating probation .....	132	14	1	2	—	5	—
16	Sex offenses .....	43	5	1	1	—	2	—
17	Disorderly street walking .....	27	3	1	1	—	—	—
18	Other sex offenses .....	16	2	—	—	—	2	—
19	Disorderly conduct .....	15	1	—	—	—	1	—
20	Frequenting and inmate of disorderly house .....	6	5	—	—	—	—	—
21	Drunkenness .....	1	—	—	—	—	—	—
22	Incorrigibility .....	45	2	—	—	—	2	—
23	Runaway .....	22	1	—	1	—	—	—
24	Contempt of court .....	17	4	1	3	—	—	—
25	Sex offenses .....	8	2	1	1	—	—	—
26	Disorderly conduct .....	3	1	—	1	—	—	—
27	Frequenting and inmate of disorderly house .....	2	1	—	1	—	—	—
28	Illegal selling, buying or possession of narcotic drugs .....	1	—	—	—	—	—	—
29	Incorrigibility .....	2	—	—	—	—	—	—
30	Runaway .....	1	—	—	—	—	—	—
31	Other offenses .....	58	48	6	18	1	2	22
32	Larceny .....	24	24	—	1	—	1	22
33	Witness .....	9	7	—	5	1	1	—
34	Protection .....	7	1	—	1	—	—	—
35	All others .....	18	16	5	11	—	—	—

TABLE 28

## CASES INTO COURT

and Manner of Bringing Cases in Court, by Offense Charged: 1920

Line No.	Number of cases									All other
	Other	Arrests on warrants				Complaints				
		Total	Sheriff	Police officer	Other	Total	Parent	Sheriff	Other	
1	22	209	169	19	21	73	37	12	24	34
2	4	10	6	2	2	1	—	—	1	1
3	2	5	3	1	1	—	—	—	—	1
4	2	—	—	—	—	1	—	—	1	—
5	—	2	1	1	—	—	—	—	—	—
6	—	—	—	—	—	—	—	—	—	—
7	—	1	1	—	—	—	—	—	—	—
8	—	2	1	—	1	—	—	—	—	—
9	1	7	7	—	—	1	—	—	1	3
10	—	1	—	1	—	1	—	—	1	—
11	1	1	1	—	—	3	—	1	2	—
12	—	—	—	—	—	—	—	—	—	1
13	3	58	48	6	4	44	28	5	11	7
14	7	13	8	2	3	14	6	6	3	9
15	6	109	95	6	8	3	2	—	1	6
16	1	38	32	2	4	—	—	—	—	—
17	1	24	20	1	3	—	—	—	—	—
18	—	14	12	1	1	—	—	—	—	—
19	—	12	8	2	2	1	1	—	—	1
20	5	—	—	—	—	—	—	—	—	1
21	—	1	1	—	—	—	—	—	—	—
22	—	39	33	2	1	1	1	—	—	3
23	—	19	18	—	1	1	—	—	1	1
24	—	9	4	1	4	2	—	—	2	2
25	—	5	1	—	4	—	—	—	—	1
26	—	2	1	1	—	—	—	—	—	—
27	—	—	—	—	—	1	—	—	1	—
28	—	—	—	—	—	1	—	—	1	—
29	—	1	1	—	—	—	—	—	—	1
30	—	1	1	—	—	—	—	—	—	—
31	—	1	—	1	—	4	2	—	2	6
32	—	—	—	—	—	—	—	—	—	—
33	—	1	—	1	—	1	—	—	1	—
34	—	—	—	—	—	2	1	—	1	4
35	—	—	—	—	—	1	1	—	—	1

TABLE 29

## COLOR AND OFFENSE

Cases Disposed of At Court Hearings and Adjusted Without Court Hearings, Classified by Offense Charged and Color: 1920

Offense charged	Number of cases					
	Disposed of at court hearing			Adjusted without court hearing		
	Total	White	Negro	Total	White	Negro
<b>All offenses</b> .....	<b>1,941</b>	<b>1,375</b>	<b>566</b>	<b>253</b>	<b>226</b>	<b>27</b>
Sex offenses .....	942	536	406	6	5	1
Disorderly street walking .....	568	282	284	2	2	—
Inmate of disorderly bawdy house .....	157	98	59	1	1	—
Frequenting disorderly bawdy house .....	41	25	16	—	—	—
Disorderly child .....	76	62	14	2	2	—
Keeping disorderly bawdy house .....	95	66	29	—	—	—
Other sex offenses .....	7	3	4	1	—	1
Disorderly conduct .....	306	269	37	14	12	2
Frequenting and inmate of disorderly house .....	127	77	50	—	—	—
Drunkenness .....	51	50	1	—	—	—
Illegal sale, purchase or possession of narcotic drugs .....	38	28	13	1	1	—
Incorrigibility .....	144	119	25	114	97	17
Runaway .....	128	120	8	62	60	2
Violating probation .....	132	121	11	6	6	—
Sex offenses .....	43	37	6	1	1	—
Disorderly street walking .....	27	22	5	1	1	—
Other sex offenses .....	16	15	1	—	—	—
Disorderly conduct .....	15	13	2	1	1	—
Frequenting and inmate of disorderly house .....	6	6	—	—	—	—
Drunkenness .....	1	1	—	—	—	—
Incorrigibility .....	45	42	3	3	3	—
Runaway .....	22	22	—	—	—	—
Larceny .....	—	—	—	1	1	—
Contempt of court .....	17	13	4	—	—	—
Sex offenses .....	8	5	3	—	—	—
Disorderly conduct .....	3	3	—	—	—	—
Frequenting and inmate of disorderly house .....	2	2	—	—	—	—
Illegal possession of narcotic drugs .....	1	1	—	—	—	—
Incorrigibility .....	2	1	1	—	—	—
Runaway .....	1	1	—	—	—	—
Other offenses .....	58	47	11	50	45	5
Larceny .....	24	21	3	4	3	1
Witnesses .....	9	8	1	2	2	—
Protection .....	7	7	—	38	34	4
All others .....	18	11	7	6	6	—

TABLE 30

Color of First Offenders and Old Offenders: Cases Disposed of At Court Hearings,  
Classified by First Offenders and Old Offenders, Offense and Color: 1920

Offense charged	Number of cases						
	Total	First offenders			Old offenders		
		Total	White	Negro	Total	White	Negro
All offenses .....	1,941	1,183	815	368	758	560	198
Sex offenses .....	942	553	303	250	889	233	156
Disorderly street walking ..	566	282	125	157	284	157	127
Inmate of disorderly bawdy house .....	157	108	63	45	49	35	14
Frequenting disorderly bawdy house .....	41	31	19	12	10	6	4
Disorderly child .....	76	65	52	13	11	10	1
Keeping disorderly bawdy house .....	95	61	41	20	34	25	9
Other sex offenses .....	7	6	3	3	1	—	1
Disorderly conduct .....	306	204	177	27	102	92	10
Frequenting and inmate of disorderly house .....	127	102	58	44	25	19	6
Drunkenness .....	51	23	25	1	25	25	—
Illegal sale, purchase, or possession of narcotic drugs .....	36	7	4	3	29	19	10
Incorrigibility .....	144	130	106	24	14	13	1
Runaway .....	128	111	103	8	17	17	—
Violating probation .....	132	2	1	1	130	119	11
Sex offenses .....	43	—	—	—	43	37	6
Disorderly street walking ..	27	—	—	—	27	22	5
Other sex offenses .....	16	—	—	—	16	15	1
Disorderly conduct .....	15	1	—	1	14	12	2
Frequenting and inmate of disorderly house .....	6	—	—	—	6	6	—
Drunkenness .....	1	—	—	—	1	1	—
Incorrigibility .....	45	—	—	—	45	42	3
Runaway .....	22	1	1	—	21	21	—
Contempt of court .....	17	—	—	—	17	14	3
Sex offenses .....	8	—	—	—	8	5	3
Disorderly street walking ..	4	—	—	—	4	2	2
Other sex offenses .....	4	—	—	—	4	3	1
Disorderly conduct .....	3	—	—	—	3	3	—
Frequenting and inmate of disorderly house .....	2	—	—	—	2	2	—
Illegal possession of narcotic drugs .....	1	—	—	—	1	1	—
Incorrigibility .....	2	—	—	—	2	2	—
Runaway .....	1	—	—	—	1	1	—
Other offenses .....	58	48	38	10	10	9	1
Larceny .....	24	21	18	3	3	3	—
Witness .....	9	8	7	1	1	1	—
Protection .....	7	6	6	—	1	1	—
All others .....	18	13	7	6	5	4	1

TABLE 31

## AGE

Women and Girls Disposed of At Court Hearings, Classified by Age of First Offenders and Old Offenders: 1920

Age	Number of women and girls					
	Total		First offenders		Old offenders	
	Number	Per cent. distribution	Number	Per cent. distribution	Number	Per cent. distribution
All ages.....	1,736	100.0	1,183	100.0	553	100.0
Under 21 years --	641	36.9	497	42.0	144	26.0
Under 16 years <sup>1</sup> --	3	.2	3	.3	—	—
16 years --	135	7.8	121	10.2	14	2.5
17 years --	140	8.1	114	9.6	26	4.7
18 years --	132	7.6	104	8.8	28	5.1
19 years --	106	6.1	77	6.5	29	5.2
20 years --	125	7.2	78	6.6	47	8.5
21 to 24 years --	376	21.7	269	22.7	107	19.3
25 to 29 years --	346	19.9	189	16.0	157	28.4
30 to 34 years --	166	9.5	101	8.5	64	11.6
35 to 39 years --	94	5.4	59	5.0	35	6.3
40 to 44 years --	58	3.3	36	3.0	22	4.0
45 to 49 years --	28	1.6	18	1.5	10	1.8
50 to 54 years --	20	1.2	8	.7	12	2.2
55 to 59 years --	3	.2	1	.1	2	.4
60 to 64 years --	4	.2	4	.3	—	—
70 to 74 years --	1	.1	1	.1	—	—

<sup>1</sup> Evidence of the correct age of these 3 girls could not be obtained until after the court hearings.



TABLE 32

## AGE AND COLOR

Women and Girls Disposed of At Court Hearings Classified by First Offenders and Old Offenders, Age, and Color: 1920

Age	Number of women and girls								
	Total			White			Negro		
	Total	First of-fenders	Old of-fenders	Total	First of-fenders	Old of-fenders	Total	First of-fenders	Old of-fenders
All ages ....	1,736	1,183	553	1,217	814	403	519	369	150
Under 21 years..	641	497	144	504	381	123	137	116	21
Under 16 years..	3	3	—	3	3	—	—	—	—
16 years..	135	121	14	111	99	12	24	22	2
17 years..	140	114	26	123	99	24	17	15	2
18 years..	132	104	28	105	78	27	27	26	1
19 years..	106	77	29	77	52	25	29	25	4
20 years..	125	73	47	85	50	35	40	28	12
21 to 24 years..	376	269	107	226	162	64	150	107	43
25 to 29 years..	346	189	157	220	119	101	126	70	56
30 to 34 years..	165	101	61	116	66	50	49	35	14
35 to 39 years..	94	59	35	65	38	27	29	21	8
40 to 44 years..	53	36	22	38	22	16	20	14	6
45 to 49 years..	28	18	10	22	13	9	6	5	1
50 to 54 years..	20	8	12	20	8	12	—	—	—
55 to 59 years..	3	1	2	2	1	1	1	—	1
60 to 64 years..	4	4	—	4	4	—	—	—	—
70 to 74 years..	1	1	—	—	—	—	1	1	—

TABLE 33

AGE AND

Cases Disposed of At Court Hearings, Classified by

Line No.	Offense charged	Number of cases							
		All ages	Under 21 years						
			Total	Under 16 years	16 years	17 years	18 years	19 years	20 years
1	All offenses .....	1,941	721	9	143	163	154	116	136
2	Sex offenses .....	942	182	3	22	38	36	30	53
3	Disorderly street walking .....	586	67	1	—	4	6	20	36
4	Inmate of disorderly bawdy house .....	157	33	—	5	7	9	3	9
5	Frequenting disorderly bawdy house .....	41	3	—	—	—	2	—	1
6	Disorderly child .....	78	76	2	17	27	19	7	4
7	Keeping disorderly bawdy house .....	95	3	—	—	—	—	—	3
8	Other sex offenses .....	7	—	—	—	—	—	—	—
9	Disorderly conduct .....	306	101	2	10	16	14	30	29
10	Frequenting and inmate of disorderly house .....	127	36	1	3	4	15	5	8
11	Drunkenness .....	51	7	—	—	2	3	1	1
12	Illegal sale, purchase, or possession of drugs .....	36	—	—	—	—	—	—	—
13	Incorrigibility .....	144	142	1	55	37	19	16	14
14	Runaway .....	128	125	2	36	42	30	6	9
15	Violating probation .....	132	89	—	15	16	28	18	12
16	Sex offenses .....	43	14	—	1	4	4	2	3
17	Disorderly street walking .....	27	4	—	1	—	—	—	3
18	Other sex offenses .....	16	10	—	—	4	4	2	—
19	Disorderly conduct .....	15	5	—	1	—	1	2	1
20	Frequenting and inmate of disorderly house .....	6	5	—	1	—	2	1	1
21	Drunkenness .....	1	—	—	—	—	—	—	—
22	Incorrigibility .....	45	45	—	5	8	15	11	6
23	Runaway .....	22	20	—	7	4	6	2	1
24	Contempt of court .....	17	9	—	—	2	2	—	5
25	Sex offenses .....	8	5	—	—	1	1	—	3
26	Disorderly conduct .....	3	1	—	—	—	—	—	1
27	Frequenting and inmate of disorderly house .....	2	1	—	—	—	—	—	1
28	Illegal sale, purchase or possession of drugs .....	1	—	—	—	—	—	—	—
29	Incorrigibility .....	2	1	—	—	1	—	—	—
30	Runaway .....	1	1	—	—	—	1	—	—
31	Other offenses .....	53	30	—	2	6	7	10	5
32	Larceny .....	24	15	—	1	2	3	6	3
33	Witness .....	9	6	—	—	3	—	2	—
34	Protection .....	7	6	—	1	1	2	1	1
35	All others .....	18	4	—	—	—	2	1	1

TABLE 33

## OFFENSE

Offense Charged and Age of Offender: 1920

Line No.	Number of cases									
	21 years and over									
	Total	21 to 24 years	25 to 29 years	30 to 34 years	35 to 39 years	40 to 44 years	45 to 49 years	50 to 54 years	55 to 59 years	60 yrs. and over
1	1,220	417	386	177	106	65	32	28	4	5
2	760	242	243	120	68	38	23	17	4	5
3	499	172	162	82	41	19	9	13	1	—
4	124	45	39	21	8	8	4	2	1	1
5	38	13	12	6	3	—	4	—	—	—
6	—	—	—	—	—	—	—	—	—	—
7	92	9	29	10	15	15	6	2	2	4
8	7	8	1	1	1	1	—	—	—	—
9	205	89	68	25	15	12	4	2	—	—
10	91	39	33	7	8	3	—	1	—	—
11	44	3	9	9	9	5	4	5	—	—
12	36	4	19	9	1	2	1	—	—	—
13	2	2	—	—	—	—	—	—	—	—
14	3	8	—	—	—	—	—	—	—	—
15	43	16	17	3	4	8	—	1	—	—
16	29	7	12	3	4	2	—	1	—	—
17	23	6	9	8	3	2	—	1	—	—
18	6	2	3	—	1	—	—	—	—	—
19	10	5	4	—	—	1	—	—	—	—
20	1	1	—	—	—	—	—	—	—	—
21	1	—	1	—	—	—	—	—	—	—
22	—	—	—	—	—	—	—	—	—	—
23	2	2	—	—	—	—	—	—	—	—
24	8	8	2	—	—	2	—	1	—	—
25	3	1	—	—	—	1	—	1	—	—
26	2	—	1	—	—	1	—	—	—	—
27	1	1	—	—	—	—	—	—	—	—
28	1	—	1	—	—	—	—	—	—	—
29	1	1	—	—	—	—	—	—	—	—
30	—	—	—	—	—	—	—	—	—	—
31	28	17	5	4	1	—	—	1	—	—
32	9	7	1	1	—	—	—	—	—	—
33	4	4	—	—	—	—	—	—	—	—
34	1	1	—	—	—	—	—	—	—	—
35	14	5	4	8	1	—	—	1	—	—

TABLE 34

## MENTAL CONDITION

Cases Disposed of at Court Hearings,

Line No.	Offense charged	Number of cases			
		Total	Not examined	Examined	
				Total	Normal
1	All offenses -----	1,941	339	1,602	1,040
2	Sex offenses -----	942	206	736	529
3	Disorderly street walking -----	563	88	475	347
4	Inmate of disorderly bawdy house ..	157	47	108	84
5	Frequenting disorderly bawdy house	41	19	22	18
6	Disorderly child -----	76	11	65	33
7	Keeping disorderly bawdy house ----	95	39	56	45
8	Other sex offenses -----	7	2	5	3
9	Disorderly conduct -----	306	45	261	184
10	Frequenting and inmate of disorderly house -----	127	21	106	74
11	Drunkenness -----	51	12	39	28
12	Illegal selling, buying, or possession of narcotic drugs -----	36	10	26	20
13	Incorrigibility -----	144	14	130	65
14	Runaway -----	128	10	118	65
15	Violating probation -----	132	7	125	56
16	Sex offenses -----	43	1	42	22
17	Disorderly street walking -----	27	1	26	17
18	Other sex offenses -----	16	—	16	5
19	Disorderly conduct -----	15	3	12	6
20	Frequenting and inmate of disorderly house -----	6	—	6	3
21	Drunkenness -----	1	—	1	—
22	Incorrigibility -----	45	3	42	18
23	Runaway -----	22	—	22	7
24	Contempt of court -----	17	2	15	7
25	Sex offenses -----	8	1	7	2
26	Disorderly conduct -----	3	1	2	—
27	Frequenting and inmate of disorderly house -----	2	—	2	2
28	Illegal selling, buying or possession of narcotic drugs -----	1	—	1	1
29	Incorrigibility -----	2	—	2	2
30	Runaway -----	1	—	1	—
31	Other offenses -----	58	11	47	30
32	Larceny -----	24	3	21	10
33	Witnesses -----	9	2	7	4
34	Protection -----	7	2	5	2
35	All others -----	18	4	14	8

TABLE 34

## AND OFFENSE

Classified by Mental Condition and Offense Charged: 1920

Line No.	Number of cases						
	Examined						
	Retarded	Border line	Moron	Psychoses	Psycho-neuroses	Psycho-pathic personality	Epileptic
1	112	27	24	3	30	359	7
2	35	6	6	—	12	141	6
3	17	2	5	—	10	93	4
4	4	1	1	—	1	16	1
5	—	—	—	—	—	4	—
6	12	2	—	—	—	18	—
7	—	—	—	—	1	10	—
8	2	1	—	—	—	—	—
9	23	5	6	1	2	59	1
10	8	1	2	—	3	23	—
11	2	1	—	—	—	8	—
12	—	—	—	1	1	4	—
13	18	4	5	—	4	33	1
14	14	4	5	—	3	27	—
15	9	4	—	—	4	52	—
16	2	1	—	—	1	16	—
17	1	—	—	—	—	8	—
18	1	1	—	—	1	8	—
19	2	—	—	—	1	3	—
20	—	—	—	—	1	2	—
21	—	—	—	—	—	1	—
22	2	—	—	—	1	21	—
23	3	3	—	—	—	9	—
24	1	1	—	—	1	5	—
25	1	—	—	—	—	4	—
26	—	—	—	—	1	1	—
27	—	—	—	—	—	—	—
28	—	—	—	—	—	—	—
29	—	—	—	—	—	—	—
30	—	1	—	—	—	—	—
31	7	2	—	1	—	7	—
32	8	—	—	—	—	2	—
33	1	1	—	—	—	1	—
34	1	—	—	—	—	2	—
35	2	1	—	1	—	2	—

TABLE 35

## MENTAL CONDITION AND COLOR

Cases Disposed of At Court Hearings, Classified by Mental Condition and Color: 1929

Mental condition	Number of cases						
	Total	White			Negro		
		Total	First offenders	Old offenders	Total	First offenders	Old offenders
<b>All conditions ..</b>	<b>1,941</b>	<b>1,375</b>	<b>815</b>	<b>560</b>	<b>566</b>	<b>368</b>	<b>198</b>
<b>Examined.....</b>	<b>1,602</b>	<b>1,136</b>	<b>655</b>	<b>481</b>	<b>466</b>	<b>285</b>	<b>181</b>
Normal .....	1,040	680	425	255	860	231	129
Retarded .....	112	94	61	33	18	10	8
Border line .....	27	27	18	9	—	—	—
Moron .....	24	18	11	5	8	5	3
Psychoses .....	8	2	2	—	1	1	—
Psychoneuroses and neuroses .....	30	25	15	10	5	3	2
Constitutional psy- chopathic Inferior	350	286	123	163	73	34	39
Epileptic .....	7	6	—	6	1	1	—
<b>Not examined</b>	<b>339</b>	<b>239</b>	<b>160</b>	<b>79</b>	<b>100</b>	<b>83</b>	<b>17</b>

TABLE 36

## MENTAL CONDITION AND AGE

Women and Girls Disposed of At Court Hearings, Classified by Mental Condition and Age: 1920

Mental condition	Number of women and girls			
	Total	Age		
		Under 21 years	21 to 44 years	45 years and over
<b>Total .....</b>	<b>1,736</b>	<b>641</b>	<b>1,039</b>	<b>56</b>
<b>Examined.....</b>	<b>1,417</b>	<b>576</b>	<b>808</b>	<b>33</b>
Normal .....	941	339	574	28
Retarded .....	98	57	41	—
Border line .....	23	16	7	—
Moron .....	21	12	9	—
Psychoses .....	3	—	3	—
Psychoneuroses .....	27	9	16	2
Constitutional psychopathic inferior .....	300	142	155	3
Epileptic .....	4	1	3	—
<b>Not examined .....</b>	<b>319</b>	<b>65</b>	<b>231</b>	<b>23</b>

TABLE 37

## VENEREAL DISEASE

Cases Disposed of At Court Hearings, Classified by Venereal

Line No.	Venereal disease	Number of cases					
		All offenses	Dis-orderly street walking	Inmate of dis-orderly bawdy house	Frequenting dis-orderly bawdy house	Dis-orderly child	Keeping dis-orderly bawdy house
1	<b>Total</b> .....	1,941	566	157	41	76	95
2	<b>Examined</b> .....	1,852	558	145	40	67	86
3	Not infected .....	859	209	67	19	29	48
4	Infected .....	983	349	78	21	38	40
5	Gonorrhea .....	467	129	42	9	25	17
6	Syphilis .....	319	140	27	8	9	10
7	Active .....	214	92	16	5	7	9
8	1 plus .....	3	3	—	—	—	—
9	2 plus .....	24	11	1	—	—	—
10	3 plus .....	26	11	1	1	1	—
11	4 plus .....	157	66	13	3	6	8
12	Not reported .....	4	1	1	1	—	1
13	Not active .....	105	48	11	3	2	1
14	1 plus .....	3	2	—	—	—	—
15	2 plus .....	7	4	—	—	—	—
16	3 plus .....	14	7	2	—	—	—
17	4 plus .....	75	33	8	3	2	1
18	Not reported .....	6	2	1	—	—	—
19	Gonorrhea and syphilis .....	207	80	9	4	4	13
20	Syphilis active .....	163	60	7	3	3	11
21	1 plus .....	2	—	—	1	—	—
22	2 plus .....	21	7	1	—	—	—
23	3 plus .....	24	11	—	—	1	—
24	4 plus .....	94	37	6	1	—	10
25	Not reported .....	25	5	—	1	2	1
26	Syphilis not active .....	41	20	2	1	1	2
27	3 plus .....	7	2	—	—	—	—
28	4 plus .....	22	12	1	1	—	2
29	Not reported .....	12	6	1	—	1	—
30	<b>Not examined or results unsatisfactory</b> ..	89	8	12	1	9	9



TABLE 37

## AND OFFENSE

Disease and Offense Charged: 1920

Line No.	Number of cases								
	Dis-orderly conduct	Frequenting and in-mate of disorderly house	Drunkenness	Illegal sale, purchase or possession of narcotic drugs	Incorrigibility	Run-away	Violating probation	Contempt of court	Other offenses
1	306	127	51	36	144	128	132	17	65
2	294	111	51	35	135	119	132	17	62
3	148	59	31	11	71	68	66	5	30
4	145	52	20	24	64	51	66	12	32
5	71	24	8	8	46	32	34	6	16
6	40	18	6	10	13	6	17	3	12
7	25	16	3	6	10	5	10	2	7
8	—	—	—	—	—	—	—	—	—
9	7	2	—	—	2	—	—	1	—
10	4	1	—	—	3	2	2	—	—
11	15	13	3	6	5	8	8	1	7
12	—	—	—	—	—	—	—	—	—
13	14	2	3	4	3	1	7	1	5
14	—	—	1	—	—	—	—	—	—
15	2	—	—	1	—	—	—	—	—
16	1	—	—	1	1	—	2	—	—
17	10	2	2	2	1	1	5	1	4
18	1	—	—	—	1	—	—	—	1
19	35	10	6	6	5	13	15	3	4
20	30	10	6	5	4	10	11	2	4
21	—	—	—	—	—	1	—	—	—
22	7	1	—	2	—	1	1	1	—
23	3	3	1	—	1	1	1	—	2
24	18	6	2	2	1	5	4	1	1
25	2	—	3	1	2	2	5	—	1
26	5	—	—	1	1	3	4	1	—
27	1	—	—	—	—	1	8	—	—
28	2	—	—	1	1	1	—	1	—
29	2	—	—	—	—	1	1	—	—
30	12	16	—	1	9	9	—	—	3

TABLE 38

## VENEREAL

Cases Disposed of At Court Hearings, Classified by Venereal Disease at

Line No.	Venereal disease at next to last appearance in court	Number of cases and venereal disease at last appearance in court			
		Total	Not examined or results not satisfactory	Examined	
				Total	Not infected
1	Total.....	1,941	89	1,852	859
2	Examined.....	753	1	752	307
3	Not infected.....	342	—	342	207
4	Infected.....	411	1	410	100
5	Gonorrhea.....	143	—	143	43
6	Syphilis.....	134	1	133	28
7	Active.....	127	1	126	26
8	Not active.....	7	—	7	2
9	Gonorrhea and syphilis.....	134	—	134	29
10	Syphilis active.....	134	—	134	29
11	Syphilis not active.....	—	—	—	—
12	First offenders.....	1,188	88	1,100	552

<sup>1</sup> Includes 1,183 first offenders and 5 old offenders.

TABLE 38

## DISEASE

Last Appearance in Court and Next to Last Appearance in Court: 1920

Line No.	Number of cases and venereal diseases at last appearance in court							
	Examined							
	Infected							
	Total	Gonorrhea	Syphilis			Gonorrhea and Syphilis		
			Total	Active	Not active	Total	Syphilis active	Syphilis not active
1	993	467	319	214	105	207	166	41
2	445	199	141	81	60	105	95	10
3	135	84	26	18	8	25	21	4
4	310	115	115	63	52	80	74	6
5	100	76	9	7	2	15	12	3
6	105	13	63	29	37	26	25	1
7	100	12	62	29	33	26	25	1
8	5	1	4	—	4	—	—	—
9	105	26	40	27	13	39	37	2
10	105	26	40	27	13	39	37	2
11	—	—	—	—	—	—	—	—
12	548	268	178	133	45	102	71	31

TABLE 39

VENEREAL DISEASE,  
Cases Disposed of At Court Hearings, Classified by

Line No.	Venereal disease	Number of cases				
		Total	Dis- charged	Placed on probation or probation continued		
				Regular	With medical super- vision	To leave town
1	Total .....	1,941	339	447	151	49
2	Examined .....	1,852	284	428	150	48
3	Not infected .....	859	207	342	—	38
4	Infected .....	993	77	86	150	10
5	Gonorrhea .....	467	33	24	51	6
6	Syphilis .....	319	37	42	83	8
7	Active .....	214	22	22	60	2
8	1 plus .....	3	—	—	2	—
9	2 plus .....	24	1	4	5	—
10	3 plus .....	26	2	2	13	1
11	4 plus .....	157	17	16	40	1
12	Not reported .....	4	2	—	—	—
13	Not active .....	106	15	20	23	1
14	1 plus .....	3	—	2	1	—
15	2 plus .....	7	1	1	1	—
16	3 plus .....	14	3	2	4	—
17	4 plus .....	75	10	13	17	1
18	Not reported .....	6	1	2	—	—
19	Gonorrhea and syphilis .....	207	7	20	16	1
20	Syphilis active .....	168	6	14	11	1
21	1 plus .....	2	—	—	—	1
22	2 plus .....	21	2	3	4	—
23	3 plus .....	24	1	—	—	—
24	4 plus .....	94	3	4	7	—
25	Not reported .....	25	1	7	—	—
26	Syphilis not active .....	41	1	6	5	—
27	3 plus .....	7	—	—	—	—
28	4 plus .....	22	1	3	5	—
29	Not reported .....	12	—	3	—	—
30	Not examined or results unsatisfactory .....	89	55	19	1	1

TABLE 39

## AND DISPOSITION

Venereal Disease and Nature of Disposition: 1920

Line No.	Number of cases									
	Committed to correctional institutions					Committed to other institutions			Held under bail for criminal court	All others
	House of Correction	House of Good Shepherd	Sleighton Farm	State Industrial Home for Women	St. Joseph's Pro-tectory	Gyn-eecean Hos-pital	Phila-del-phia Gen-eral Hos-pital	Door of Hope		
1	452	83	38	8	6	258	15	10	46	39
2	447	81	38	8	5	258	14	9	44	38
3	129	53	13	6	4	2	5	7	34	19
4	318	23	25	2	1	256	9	2	10	19
5	127	4	17	2	—	186	4	1	2	10
6	106	17	5	—	1	11	2	—	7	6
7	72	12	2	—	1	10	2	—	5	4
8	1	—	—	—	—	—	—	—	—	—
9	9	2	—	—	—	—	1	—	—	2
10	5	—	—	—	—	3	—	—	—	—
11	56	10	2	—	1	7	1	—	4	2
12	1	—	—	—	—	—	—	—	1	—
13	34	6	3	—	—	1	—	—	2	1
14	—	—	—	—	—	—	—	—	—	—
15	8	1	—	—	—	—	—	—	—	—
16	3	—	2	—	—	—	—	—	—	—
17	26	3	1	—	—	1	—	—	2	1
18	2	1	—	—	—	—	—	—	—	—
19	85	7	3	—	—	59	3	1	1	4
20	70	6	3	—	—	49	2	1	1	2
21	—	—	—	—	—	1	—	—	—	—
22	9	—	—	—	—	2	1	—	—	—
23	13	—	—	—	—	10	—	—	—	—
24	40	3	—	—	—	35	1	—	1	1
25	8	3	3	—	—	1	—	1	—	1
26	15	1	—	—	—	10	1	—	—	2
27	3	1	—	—	—	3	—	—	—	—
28	7	—	—	—	—	4	1	—	—	1
29	5	—	—	—	—	3	—	—	—	1
30	5	2	—	—	1	—	1	1	2	1

TABLE 40

## VENEREAL DISEASE AND COLOR

Cases Disposed of at Court Hearings, Classified by Venereal Disease at Time of First Arrest in 1920 and color: 1920

Venereal disease and Wasserman reaction in syphilis cases	Number of cases						
	Total	White			Negro		
		Total	First offenders	Old offenders	Total	First offenders	Old offenders
<b>Total</b> .....	1,941	1,375	815	560	566	363	198
<b>Examined</b> .....	1,852	1,299	739	560	553	355	198
<b>Not infected</b> .....	859	631	395	236	228	156	72
<b>Infected</b> .....	993	668	344	324	325	199	126
<b>Gonorrhea</b> .....	467	356	191	165	111	78	33
<b>Syphilis</b> .....	319	178	92	86	141	85	56
<b>Active</b> .....	214	126	73	53	88	60	28
1 plus .....	3	2	1	1	1	—	1
2 plus .....	24	13	6	7	11	7	4
3 plus .....	26	17	11	6	9	5	4
4 plus .....	157	91	53	38	66	47	19
<b>Not re-</b> <b>ported</b> .....	4	3	2	1	1	1	—
<b>Not active</b> .....	105	52	19	33	53	25	23
1 plus .....	3	3	—	3	—	—	—
2 plus .....	17	2	2	—	5	—	5
3 plus .....	14	9	3	6	5	1	4
4 plus .....	75	35	11	24	40	21	19
<b>Not re-</b> <b>ported</b> .....	6	3	3	—	3	3	—
<b>Gonorrhea and</b> <b>syphilis</b> .....	207	134	61	73	73	36	37
<b>Syphilis active</b> .....	156	109	43	66	57	26	31
1 plus .....	2	2	1	1	—	—	—
2 plus .....	21	14	6	8	7	3	4
3 plus .....	24	15	6	9	9	7	2
4 plus .....	94	60	29	31	34	16	18
<b>Not re-</b> <b>ported</b> .....	25	18	1	17	7	—	7
<b>Syphilis not</b> <b>active</b> .....	41	25	18	7	16	10	0
3 plus .....	7	3	2	1	4	—	4
4 plus .....	22	14	10	4	8	6	2
<b>Not re-</b> <b>ported</b> .....	12	8	6	2	4	4	—
<b>Not examined or re-</b> <b>sults unsatis-</b> <b>factory</b> .....	89	76	76	—	13	13	—

TABLE 41

## VENEREAL DISEASE AND AGE

Women and Girls Disposed of At Court Hearings, Classified by Venereal Disease and Age: 1920

Venereal disease	Number of women and girls							
	Total	Under 21 years	21 to 24 years	25 to 29 years	30 to 34 years	35 to 39 years	40 to 44 years	45 years and over
<b>Total</b> .....	<b>1,736</b>	<b>641</b>	<b>376</b>	<b>346</b>	<b>165</b>	<b>94</b>	<b>58</b>	<b>56</b>
Not examined .....	103	55	13	14	10	5	3	3
Examined .....	1,533	586	363	332	155	89	55	53
Not infected .....	776	307	157	142	70	44	33	23
Infected .....	857	279	206	190	85	45	22	30
<b>Infected</b> .....	<b>857</b>	<b>279</b>	<b>206</b>	<b>190</b>	<b>85</b>	<b>45</b>	<b>22</b>	<b>30</b>
Gonorrhea .....	404	160	89	81	35	17	7	15
Syphilis .....	294	77	67	71	39	21	9	10
Active .....	202	63	49	49	19	12	5	5
1 plus .....	2	—	2	—	—	—	—	—
2 plus .....	24	8	4	4	3	4	1	—
3 plus .....	22	11	2	5	2	—	1	1
4 plus .....	146	38	40	40	14	8	2	4
Not specified ..	8	6	1	—	—	—	1	—
Not active .....	92	14	18	22	20	9	4	5
1 plus .....	2	—	—	—	1	1	—	—
2 plus .....	6	1	1	1	2	1	—	—
3 plus .....	11	2	4	3	1	1	—	—
4 plus .....	67	16	12	17	15	5	4	4
Not specified ..	6	1	1	1	1	1	—	1
Gonorrhea and syphilis	159	42	50	38	11	7	6	5
With syphilis active	125	32	42	30	8	6	4	3
2 plus .....	17	5	4	6	1	—	1	—
3 plus .....	21	9	8	3	1	—	—	—
4 plus .....	84	16	29	21	6	6	3	3
Not specified ..	1	1	—	—	—	—	—	—
With syphilis not active .....	34	10	8	8	3	1	2	2
3 plus .....	3	1	—	2	—	—	—	—
4 plus .....	21	6	4	5	1	1	2	2
Not specified ..	10	3	4	1	2	—	—	—

TABLE 42

**VENEREAL DISEASE AND**  
**Cases Disposed of At Court Hearings, Classified by Mental Condition**

Line No.	Venereal disease and Wasserman reaction in syphilis cases	Number of cases			
		Total	Not examined	Examined	
				Total	Normal
1	<b>Total -----</b>	<b>1,941</b>	<b>339</b>	<b>1,602</b>	<b>1,040</b>
2	<b>Examined -----</b>	<b>1,852</b>	<b>294</b>	<b>1,558</b>	<b>1,005</b>
3	Not infected -----	859	140	719	499
4	Infected -----	993	154	839	535
5	Gonorrhea -----	487	51	416	260
6	Syphilis -----	319	64	255	172
7	Active -----	214	35	179	119
8	1 plus -----	3	1	2	2
9	2 plus -----	24	3	21	15
10	3 plus -----	26	3	23	16
11	4 plus -----	167	25	132	86
12	Not reported -----	4	8	1	—
13	Not active -----	105	29	76	53
14	1 plus -----	3	1	2	—
15	2 plus -----	7	2	5	4
16	3 plus -----	14	6	8	3
17	4 plus -----	75	17	58	43
18	Not reported -----	6	3	3	3
19	Gonorrhea and syphilis -----	207	39	168	104
20	Syphilis active -----	163	28	138	78
21	1 plus -----	2	1	1	1
22	2 plus -----	21	3	18	9
23	3 plus -----	24	3	21	13
24	4 plus -----	94	16	78	48
25	Not reported -----	25	5	20	7
26	Syphilis not active -----	41	11	30	25
27	3 plus -----	7	2	5	3
28	4 plus -----	22	7	15	14
29	Not reported -----	12	2	10	9
30	<b>Not examined or results unsatis- factory -----</b>	<b>89</b>	<b>45</b>	<b>44</b>	<b>35</b>



TABLE 42

## MENTAL CONDITION

and Venereal Disease At First Arrest in 1920: 1920

Line No.	Number of cases						
	Examined						
	Retarded	Border line	Moron	Psychoses	Psycho-neuroses and neuroses	Constitutional psychopathic inferior	Epileptic
1	112	27	24	3	30	359	7
2	110	27	24	3	30	352	7
3	55	13	11	2	11	157	1
4	55	14	13	1	19	196	6
5	30	10	8	—	5	101	2
6	12	3	4	1	8	54	1
7	6	1	3	1	6	42	1
8	—	—	—	—	—	—	—
9	—	1	1	—	—	4	—
10	2	—	—	—	—	4	1
11	3	—	2	1	6	34	—
12	1	—	—	—	—	—	—
13	6	2	1	—	2	12	—
14	—	—	—	—	—	2	—
15	—	—	—	—	—	1	—
16	2	—	—	—	—	3	—
17	4	2	1	—	2	6	—
18	—	—	—	—	—	—	—
19	13	1	1	—	6	40	3
20	12	1	1	—	6	37	3
21	—	—	—	—	—	—	—
22	—	—	—	—	1	7	1
23	3	—	—	—	—	4	1
24	6	—	1	—	5	17	1
25	3	1	—	—	—	9	—
26	1	—	—	—	—	3	—
27	1	—	—	—	—	1	—
28	—	—	—	—	—	1	—
29	—	—	—	—	—	1	—
30	2	—	—	—	—	7	—

TABLE 43

## DISPOSITION IN

Cases Involving Women and Girls Under the Court's Care Brought in for Rehearing,  
Rehearing:

Line No.	Disposition after rehearing	Number of cases					
		Total	Status at time of rehearing				
			On pro- bation	On medical pro- bation	Paroled from		Held under bail for criminal court
					House Cor- of rection	House of Good Shep- herd	
1	All dispositions.....	559	38	17	3	3	5
2	Discharged .....	60	4	6	1	—	2
3	Outright .....	48	4	6	1	—	2
4	To leave town in care of in- dividual .....	8	—	—	—	—	—
5	To marry .....	8	—	—	—	—	—
6	In care of individual .....	1	—	—	—	—	—
7	Probation or parole .....	382	11	8	1	2	2
8	Regular .....	197	—	2	—	—	2
9	With medical supervision .....	181	3	—	—	—	—
10	To leave town in care of in- dividual .....	7	1	—	—	—	—
11	Probation or parole continued —regular .....	11	7	—	1	2	—
12	Probation or parole continued with medical supervision .....	6	—	0	—	—	—
13	Committed or remanded to hos- pitals .....	24	1	—	—	—	—
14	Gynecean Hospital .....	8	1	—	—	—	—
15	Philadelphia General Hospital .....	7	—	—	—	—	—
16	House of Detention <sup>1</sup> .....	9	—	—	—	—	—
17	Committed or remanded to cor- rectional institutions .....	66	4	1	1	—	1
18	House of Correction .....	38	1	—	—	—	1
19	House of Good Shepherd .....	13	3	1	1	—	—
20	Sleighton Farm .....	9	—	—	—	—	—
21	State Industrial Home for Women .....	1	—	—	—	—	—
22	All others .....	27	18	2	—	1	—

<sup>1</sup> Women's Misdemeanants' House of Detention.

TABLE 43

## REHEARING CASES

Classified by Status at Time of Rehearing and Nature of Disposition After 1920

Line No.	Number of cases							
	Status at time of rehearing							
	In House of Correction	In House of Good Shepherd	In Sleighton Farm	In Gyneccean Hospital	Held in house <sup>1</sup> for treatment	In Philadelphia General Hospital	In Door of Hope	All other
1	167	74	13	192	18	8	5	16
2	34	4	—	6	1	1	—	1
3	25	2	—	2	1	1	—	1
4	4	2	—	2	—	—	—	—
5	2	—	—	1	—	—	—	—
6	—	—	—	1	—	—	—	—
7	109	54	8	153	13	5	3	12
8	99	51	8	20	2	1	3	9
9	10	1	—	121	9	4	—	3
10	—	2	—	2	2	—	—	—
11	—	—	—	—	—	—	—	1
12	—	—	—	—	—	—	—	—
13	3	—	1	15	3	1	—	—
14	2	—	—	5	—	—	—	—
15	1	—	1	3	1	1	—	—
16	—	—	—	7	2	—	—	—
17	21	13	4	17	1	—	1	2
18	21	5	—	8	1	—	1	—
19	—	6	—	7	—	—	—	—
20	—	2	4	1	—	—	—	3
21	—	—	—	1	—	—	—	—
22	—	3	—	1	—	1	1	—

TABLE 44

## OFFENSE AND

Complaint Cases Adjusted by Probation Department Without

Line No.	Offense charged	Number of cases					
		Total	Nature of adjustment				
			Ad-justed by field worker	Placed under super-vision	Committed to		Held for guard-ian
					Gyn-eecean Hos-pital	Phila-delphia General Hos-pital	
1	All offenses -----	253	38	60	9	8	30
2	Sex offenses -----	6	—	—	—	—	2
3	Disorderly street walking ----	2	—	—	—	—	2
4	Inmate of disorderly bawdy house -----	1	—	—	—	—	—
5	Disorderly child -----	2	—	—	—	—	—
6	Other sex offenses -----	1	—	—	—	—	—
7	Disorderly conduct -----	14	2	1	1	1	—
8	Illegal possession of drugs.-----	1	—	—	—	1	—
9	Incorrigibility -----	114	23	43	1	2	1
10	Runaway -----	62	5	6	4	1	18
11	Violating probation -----	6	1	1	2	1	1
12	Disorderly street walking ----	1	—	—	—	1	—
13	Disorderly conduct -----	1	1	—	—	—	—
14	Incorrigibility -----	3	—	—	2	—	1
15	Larceny -----	1	—	1	—	—	—
16	Other offenses -----	50	7	9	1	2	8
17	Larceny -----	4	—	—	—	—	—
18	Witness -----	2	—	1	—	—	—
19	Protection -----	38	7	8	1	1	3
20	All others -----	6	—	—	—	1	6

<sup>1</sup> Not included in total number of cases adjusted.

TABLE 44

## DISPOSITION

Court Hearing, Classified by Offense and Nature of Adjustment:

Line No.	Number of cases							
	Nature of adjustment							
	Discharged			Returned to authorities in other city	Referred to other divisions	Referred to outside agencies	Dropped	Complaint—girl not brought in—warrant issued <sup>1</sup>
	Out-right	In care of individual	To leave town with relative					
1	5	10	9	1	13	9	61	1
2	—	1	—	—	2	1	—	—
3	—	—	—	—	—	—	—	—
4	—	1	—	—	—	—	—	—
5	—	—	—	—	1	1	—	—
6	—	—	—	—	1	—	—	—
7	2	—	1	—	1	1	4	1
8	—	—	—	—	—	—	—	—
9	2	1	—	—	5	1	35	—
10	1	8	5	1	1	2	10	—
11	—	—	—	—	—	—	—	—
12	—	—	—	—	—	—	—	—
13	—	—	—	—	—	—	—	—
14	—	—	—	—	—	—	—	—
15	—	—	—	—	—	—	—	—
16	—	—	3	—	4	4	12	—
17	—	—	2	—	1	—	1	—
18	—	—	1	—	—	—	—	—
19	—	—	—	—	3	4	11	—
20	—	—	—	—	—	—	—	—

TABLE 45

## DRUG USERS

Women and Girls Disposed of at Court Hearings, Classified by Use of Drugs and Old and New Offenders: 1920

Use of drugs	Women and girls					
	Total		First offenders		Old offenders	
	Number	Per cent. distribution	Number	Per cent. distribution	Number	Per cent. distribution
All women and girls ----	1,736	100.0	1,183	100.0	553	100.0
Do not use drugs -----	1,626	93.7	1,137	96.1	489	88.4
Drug users -----	110	6.3	46	3.9	64	11.6
Kind of drug used not reported -----	11	.6	7	.6	4	.7
Heroin -----	73	4.2	24	2.0	49	8.9
Morphin -----	20	1.2	10	.8	10	1.8
Cocain -----	4	.2	3	.3	1	.2
Opium -----	2	.1	2	.2	—	—

## BOOK REVIEWS

THE PREVENTION OF VENEREAL DISEASE. By Sir G. Archdall Reid, M.B., C.M., F.R.S.E., with an introductory chapter by Sir H. Bryan Donkin, M.D. (Oxon.), F.R.C.P. London: Heinemann, 1920. 447 p.

Sir Archdall Reid's book is an earnest, even a strenuous effort to get certain submerged facts before the British public, to the end that "self-disinfection" as a direct, immediate means of medical prevention of venereal disease shall become an official order in the army and navy, and not only an accredited but also an accepted practice throughout the lay community everywhere.

The author has been a practitioner of medicine for thirty years. It appears that in his service with British troops in the critical months of the Great War, he was able to reduce the incidence of venereal disease to 1.5 per 1000 per annum in successive detachments that passed through a hospital of 2000 beds under his care. After making a study of different means and methods, he adopted the simple "system" of providing every man with a 1-1000 solution of potassium permanganate, with which he was instructed to wash immediately after exposure. The instructions were printed, but chief reliance was placed on careful verbal explanations to the men in groups. The author stresses the importance of verbal instruction as the only way to get the men to apply the solution efficiently. This direct means of prevention was backed by a lecture on the nature of the venereal diseases and on the value of continence as the only absolute safeguard.

It further appears that the "system" had to be carried out with some secrecy and subterfuge, because of "influential opposition from privileged quarters." This opposition, in the opinion of the author, was set up by the clerical members and the women's group in the Royal Commission appointed in 1913 to study the venereal-disease problem, and by the same classes of opponents in the National Council for Combating Venereal Disease, an organization formed in 1916 by recommendation of the Royal Commission's report.

As an outcome of the opposition and what seems to have been a degree of antagonism, there was formed the Society for the Prevention of Venereal Disease with the avowed purpose of teaching the public not only the nature of the infections, but also how simply they may be avoided by self-disinfection. The efficacy of soap and water used immediately after exposure is not omitted. Incidentally this newly formed society claims, and purposes to let the British public know that the Royal Commission and the National Council ignored scientific knowledge and suppressed facts when taking testimony from which they derived their conclusions. Those conclusions indicated that taking all things into consideration, the advantages of the prophylactic "system" do not warrant its general use.

Only by declining to advocate or even sanction Sir Archdall Reid's self-disinfection "system" and, contrariwise, by advocating public treatment centers, alike for the two services and the civil population, do the several committees give him cause to take issue. He insists upon making a distinction between his "system" for self-disinfection and the "packet system." His caustic denunciation is perhaps justifiable if confined to the refusal of the authorities to accept and apply his "system" during the emergency that existed in the spring of 1918, when the venereal diseases—so largely and so simply preventable—were helping to cause a shortage of able men in the face of the impending German offensive; but we cannot follow him to his conclusion. He would have self-disinfection taught to soldier, sailor, and civilian everywhere, while not omitting an effort at moral suasion in the course of the instruction. One statement is so extravagant, if not outrageous, that it should be deleted. Undoubtedly it was made in an unguarded moment: "No one advises non-intercourse between husband and wife, yet, having regard to the millions of innocent sufferers, marital intercourse without disinfection is far more dangerous than irregular intercourse with disinfection." (p. 326.)

The joint findings of the committees (excepting their advocacy of community early treatment centers) offers the rational way to carry on the campaign. Specialized early treatment centers (except during the abnormal conditions of a war) discourage the patient through fear of betrayal and so fail in their purpose. In peace-time, the venereal clinic of the general hospital must meet the demands.

Sir Archdall holds the self-evident proposition true, namely, that sex morality is not an inherent instinct; it is only a "bias," by which



is meant a sort of quasi-instinct, acquired during childhood and youth by the force of constant precept and example. "As the twig is bent, the tree's inclined." It is somewhat superfluous for the author to devote so much space and labor to three chapters, "Instinct and Reason," "The Development of Mind and Character," and "Inclination and Morality," to prove that it is right to prevent venereal disease and that it should not be called a punishment for sin. Sir Archdall freely berates the "ecclesiastics," or "preachers," for opposing his plan for universal self-disinfection, and for having spoken of the venereal diseases as a punishment. We do not find, however, that this despised opposing group held that view to the exclusion of early treatment as a means of prevention.

The book seems top-heavy with unnecessary details, irrelevant matter, and multiple repetitions. Its 439 pages are likely to dishearten a prospective lay student of one of the greatest, most resistant, complex problems in the world. Out of consideration for those to whom Sir Archdall addresses his book, "on the one hand, to those who would prevent venereal disease in themselves, and, on the other, to those who would prevent it in the community," the book would be more effective if confined to his observations and experiences during his service with the army; his own statistics compared with other statistics; his excellent "Specimen Lecture to Troops on the Prevention of Disease"; Sir Bryan Donkin's "Introduction"; the findings of the Royal Commission and its successor; the evidence accepted by them; the discarded evidence, and the briefest comments thereon.

JAMES PEDERSEN, M. D.

**THE FATHER AND HIS BOY.** By T. W. Galloway, Ph.D., Litt. D. New York: Association Press, 1921. 99 p.

This book attempts successfully to tell a father the right way to discuss sex questions with his son. The reviewer read the book as a father who will have this problem before him in a few years, and not as a public-health worker. He feels that the perusal was worth while. The book is written in an interesting style and contains the kind of material which a parent should have. We all know that unless a boy is brought up like a hermit, he is going to learn sex facts from his companions. It is better that he should learn them from the most logical of teachers, his father, and learn them correctly. Many parents are, unfortunately, reticent in such matters. In Dr. Galloway's book,

the father is shown an effective method of approach. It is one of sympathetic companionship and democratic family relations. The book discusses in its eight chapters the modern enterprise of being a father; why sex education is necessary; how to give it; the democratic method; the early home period; the pre-adolescent period; the boy and the girl; and the boy become a man. It is a distinct contribution to the better literature on sex hygiene.

JAMES A. TOBEY

### ABSTRACTS OF PERIODICAL LITERATURE

THE WILL AND THE INSTINCT OF SEX. By John Dashiell Stoops. *International Journal of Ethics*, Vol. xxxii, No. 1, October, 1921.

As volition, reason, and individuality have developed in man, there has been a tendency to conquer or at least to control the instincts. In plants and animals, where none of these qualities exists, the sole objective of sex is the perpetuation of life. To them, sex is entirely unconscious. In man, however, sex consciousness has resulted in a deep sense of shame. Man, through reason, directs the channels through which the sex instinct expresses itself, but the sex drive itself is independent of reason. Its suppression by will is only an illusion, for, submerged below the level of conscious motives, it becomes the sub-conscious nucleus of a separate disorganizing personality.

With the development of the inner life of man, the drive of the sex instinct came into open conflict with the will. This dissociation of the will from the drive of sex diabolized both the sex instinct and the institution of the family. By demoralizing the family it destroyed the normal objective of the sex drive. It disorganized the very process of the will itself, for will, to be effective, must have something of the power and immediacy of instinct and emotion.

The emotion of sex is the voice of a unit larger than the individual. It is the voice of the race. It should be recognized by the individual. The drives of sex and parenthood must be regarded as entering into the very basis of the will. The moralization of the drive of sex restores to the will one of its main sources of power and one of its chief social objectives, which it lost in medieval times. A recognition of the ideal of sex will result in a positive development in which our instincts and emotions and desires will be organized in a system of objective ends. The facts of experience, such as sensations, images, and ideas, are always organized, more or less completely, into wholes

by the various instinctive drives. It is within such a drive or whole that every sustained process of volition must function, and sex is one of the dominant drives of the race in the individual mind. The drives, the creative patterns, of life are in the instincts, and the will must find its ends and its motive powers in the instincts. The sex instinct has its unity of pattern, and volition can find a durable end only within the instinctive pattern which nature provides.

THE AIMS AND METHODS OF EUGENICAL SOCIETIES. By Leonard Darwin. *Science*, Vol. liv, No. 1397, October 7, 1921.

Eugenic societies should strive for three things: (1) to make the public realize more fully what a potent influence heredity has on the race; (2) to try to ascertain and make known the rules by which the individual ought to regulate his own conduct in regard to parenthood in accordance with the laws of heredity in so far as they are now surely known; and (3) to determine the action which the state should take to stimulate and enforce conduct productive of racial progress, and to advocate a line of advance.

To accomplish the first purpose, it is necessary to spread a general knowledge of the laws of heredity. In doing this, there is the difficulty of breaking through the barriers of ignorance. Men uninformed of the facts of eugenics are prejudiced against believing that all men are not equal by birth. Great care should be taken to indicate that, though experience in the stock-yard enables eugenists to understand the laws of natural inheritance, yet reliance on these laws carries with it no implication whatever that the methods of the animal breeder ought to be introduced into human society. Those who regard the efforts of eugenists with distrust, should be eager to advocate the teaching of biology, since it is through biology that eugenic errors will be detected.

The second of the main lines is concerned with the rules by which an individual can guide his conduct in all matters relating to racial progress. The question of birth control brings up a number of ethical, racial, and economic factors. Even when approached calmly and scientifically, it is difficult to arrive at precise conclusions. For instance, it is quite possible that two individuals whose families were characterized by some degree of ill health, would, because of strong will power and high moral sense, obey any self-denying ordinance in

regard to marriage. That would mean that there is a danger of losing the characteristic of high moral caliber from the race. This aspect must indeed be regarded by the eugenicist.

In regard to the part of the state in the eugenic plan, there is much to be considered. Legislative reforms can seldom be effectively promoted unless they are sanctioned by public opinion and likewise eugenical societies would be wise to avoid taking action in regard to legislation unless proposed nearly unanimously. Legislation of general application producing beneficial racial effects includes certain taxation reforms. Taxation should fall less heavily on those burdened with families. Practical steps should be taken to lessen the fertility of habitual criminals and of the grossly unfit generally.

Progress on eugenic lines will make mankind become continually nobler, happier, and healthier. Those who imagine it is the aim of eugenical societies to make man a stronger animal or a better beast of burden are utterly ignorant of the meaning of the eugenical ideal.

**CONTROL OF VENEREALLY DISEASED PERSONS IN INTERSTATE COMMERCE.** By David Robinson. *Public Health Reports*, Vol. 36, No. 36, September 9, 1921.

The federal government has but little power to control the spread of diseases in the states. It has, however, passed laws which aim to prevent the spread of contagious diseases in interstate commerce. In addition, Congress has authorized the Secretary of the Treasury to promulgate regulations in regard to it. Under this authority, Amendment No. 7 was added to the Interstate Quarantine Regulations, to regulate interstate travel of venereally infected persons. It is not the object of the federal or state health officers to prevent the travel of venereally diseased persons who go to another state in search of medical treatment; but the amendment is aimed at diseased prostitutes, procurers, vagrants, who not only neglect treatment but deliberately expose others. Some states have adequate follow-up systems and notify other states directly or through the Public Health Service when an infected person ceases treatment without permission and goes to another state. No difficulty has been experienced in inducing such persons to resume treatment. Any persons convicted of violating the Interstate Quarantine Regulations who come from communities in which there is no provision for treatment, will be detained

and treated at the expense of the United States Government. Much can be accomplished in controlling venereal diseases if a strong co-operation exists between the health officers of the various states. Another strong legal measure is the provision of state laws requiring that physicians should report names and addresses and other facts relating to venereally infected patients who refuse to continue treatment or who are likely to spread the disease. Many physicians have been able to induce patients to continue treatment simply by calling attention to the existence of these laws.

### NOTE AND COMMENT

ANNUAL REPORT OF INTERDEPARTMENTAL BOARD.—The report submitted by Thomas A. Storey, retiring executive secretary of the United States Interdepartmental Social Hygiene Board, for the year of 1920-21, contains many items of more than casual interest. One of the most striking facts brought out is the cost of venereal diseases, directly and indirectly. They cost the nation, through wage losses alone, \$54,000,000, annually. The cost of the diseases to the army was estimated at \$15,000,000 in a single year. Army and navy commanders, quoted in the report, credit the Social Hygiene Board with a large influence in reducing the venereal rate in 1920. The venereal-disease rate in the army is said to be the best on record.

The report indicates that the United States Interdepartmental Social Hygiene Board has coöperated in the several phases of venereal-disease control. With the help of the law, 75 red-light districts have been shut down completely. In an effort to establish a measure of venereal-disease control, the sum of \$2,450,000 was apportioned among the 48 states. These funds of the last four years, matched by state appropriations, have been devoted to supplying free salvarsan, free treatment centers, informational publicity, and repressive measures.

Forty institutions are coöperating with the Board in training teachers in social hygiene, in order to educate coming generations accurately and adequately. The Board has also expended much effort in developing the medical phases of venereal-disease control. The leading scientific schools are lending their men and laboratories to the cause. Forty-three separate researches are occupied on the unsolved medical problems.

Active members of the Interdepartmental Social Hygiene Board are Edward Clifford, Assistant Secretary of the Treasury, J. M. Wainwright, Assistant Secretary of War, Theodore Roosevelt, Assistant Secretary of the Navy, Surgeon General M. W. Ireland of the Army, Surgeon General E. R. Stitt of the Navy, and Surgeon General Hugh S. Cumming of the Public Health Service. Dr. T. A. Storey, of the College of the City of New York, formerly chief inspector of the New York State military training commission, was executive secretary over the period covered by the report. He has been succeeded lately in that position by Dr. Valeria H. Parker, an active figure in the social-hygiene work of the National League of Women Voters, the National Women's Christian Temperance Union, the National Congress of Mothers and Parent-Teachers Associations, and the American Social Hygiene Association.

THE EASTERN EUROPEAN RED CROSS CONFERENCE ON VENEREAL DISEASES. Prague was the center to which all the eastern European countries sent delegates for the meeting beginning December 5, 1921. The countries participating were Austria, Bulgaria, Czecho-Slovakia, Greece, Hungary, Poland, Roumania, Serbia, and Yugo-Slavia.

THE WESTERN EUROPEAN CONFERENCE ON VENEREAL DISEASES. This Conference, also promoted by the League of Red Cross Societies, was held at the Faculty of Medicine, Paris, December 14, 1921. The countries sending delegates were: Belgium, France, Italy, Portugal, Spain, and Switzerland.

### OCTOBER, 1921, ISSUES WANTED

Owing to the widespread demand from scientific and other educational institutions for copies of Vol. VII, No. 4, SOCIAL HYGIENE (October, 1921), the entire issue is exhausted. The Association would be glad to have copies returned by those members and subscribers who feel that they can spare them, in order that this demand from reference sources may be supplied.

## SOCIAL HYGIENE BIBLIOGRAPHY

FROM OCTOBER 1, 1921 TO DECEMBER 31, 1921.

Compiled by

JANET F. MELVAIN

*Executive Librarian, Library of the Common Service Committee*

- AHERN, GEORGE. Venereal diseases. *Canadian Nurse*. August, p. 487-492.
- BACH, THERESA. German congress on moral education. *School life*, September, p. 19.
- Bombay social purity committee. *Social Service Quarterly*. July, p. 45-49.
- Campaign against venereal diseases (Edinburgh). *International Journal of Psychoanalysis*. March, part 1, p. 159-160.
- Control of venereal diseases (in Great Britain). *The Lancet*, August 20, p. 408-410.
- CRICHTON-BROWNE, SIR JAMES. Ravages of venereal disease. *Medical Officer*. September 10, p. 117.
- Criminal law amendment. (Great Britain.) *The Shield*. April, p. 113-117.
- ELLIS, HAVELOCK. Meaning of Purity. *Medical Review of Reviews*. September, p. 412-422.
- FIELDING, WILLIAM J. Economic phases of sex hygiene. *Locoma*. v. 3, no. 6, p. 7, 14.
- HUMPHREY, GEORGE. Education and Freudianism. *Journal of Abnormal Psychology*. December, 1920-March, 1921, p. 350-386.
- International conference on traffic in women and children held at Geneva. *Social Hygiene Bulletin*. September, p. 1, 7.
- International congress of medicine and pharmacy as pertaining to military organizations. Antivenereal campaign. *American Medical Association Journal*. September 3, p. 799.
- Is syphilis an accident? *American Medical Association Journal*. October 22, p. 1352.
- ISHIMOTO, S. K. Japanese view of birth control. *Birth Control Review*. September, p. 5-6, 17.
- LAMBERT, ROBERT ARCHIBALD. Post-war medical conditions among Armenian refugees in Southern Turkey and Syria. *Military Surgeon*. September, p. 314-332.
- LEMANN, I. I. Diabetes mellitus, syphilis and the negro. *American Journal of Medical Sciences*. August, p. 226-230.
- Liverpool and the prevention of venereal disease. *Medical Officer*, August 20, p. 75.
- More concerning venereal disease. *New York Medical Journal*, September 21, p. 364-365.
- MORRIS, HANNAH. Adjustments of adolescence. *Association Monthly*, November, p. 432-434, 437.
- NAIK, P. G. Prostitution in Bombay. *Indian Social Reformer*. August 28, p. 867-868.
- NEUWELT, LOUIS. Nursing of venereal diseases in children. *Trained Nurse*

- and *Hospital Review*. November, p. 408-411.
- OTTO, M. C. Moral education of youth. *International Journal of Ethics*. October, p. 52-67.
- Our "Model" divorce laws. *America*. September 3, p. 472-474.
- Prevalence of syphilis and gonorrhea. Louisiana State Board of Health. *Quarterly Bulletin*. June, p. 65-66.
- Public health service establishes a modern venereal disease clinic. *Modern Hospital*. September, p. 238-239.
- ROEMELE, EUGENE CARL. Venereal disease at state reformatory. *Kentucky Medical Journal*. September, p. 604-606.
- ROSANOFF, AARON JOSHUA. What can a state hospital do to help in the struggle against syphilis? *Canadian Journal of Mental Hygiene*. July, p. 25-30.
- ROUT, ETTIE A. Practical control of venereal disease in England. *New York Medical Journal*. November 2, p. 536-539.
- ROUT, ETTIE A. Preventing the prevention of venereal disease. *Public Health*. August, p. 211-215.
- Royal institute of public health. Efficiency of the present machinery for dealing with venereal diseases and the additional measures essential for effective prevention. *Journal of State Medicine*. September, p. 257-264.
- SATTERTHWAITE, THOMAS E. On the prevention of venereal infection. *Medical Record*. August 20, p. 311-313.
- SEQUEIRA, J. H. Dangers and treatment of antenatal syphilitic environment. *New York Medical Journal*. October 5, p. 415-416.
- Sex education in class to children over fourteen years of age. *Eugenics Review*. October, p. 478-480.
- SEYMOUR, MALCOLM. Unrecognized syphilis. *Boston Medical and Surgical Journal*. September 8, p. 288-291.
- SHAFFER, LOREN WILLIAM. Four centuries in the treatment of syphilis. *Naval Medical Bulletin*. October, p. 749-762.
- SINCLAIR, DANIEL ALISON. Examination of immigrants for venereal disease. *International Journal of Surgery*. August, p. 280-281.
- Soviet Russia and prostitution. *The Lancet*. August 20, p. 421-422.
- STEPHENSON, CHARLES SCOTTIE. Syphilis and venereal disease; a service liability. *Military Surgeon*. September, p. 263-271.
- STOKES, JOHN HINCHMAN AND H. E. BREMER. Memorandum on the occupational study of syphilis with special reference to farmers. *American Journal of Medical Sciences*. October, p. 572-575.
- STOKES, JOHN HINCHMAN. Public health activity and private practice in venereal disease. *Modern Hospital*. September, 1921, p. 239.
- STOOPS, JOHN DASHIELL. The will and the instinct of sex. *International Journal of Ethics*. October, p. 40-51.
- Two years of fighting venereal diseases; summary of accomplishments of the U. S. public health service and the state boards of health. *Public Health Reports*. September 2, p. 2109-2125.
- Value of certain inquiries on venereal disease case reports. A study of 8,413 case reports. *Public Health Reports*. September 16, p. 2257-2270.
- Venereal clinics and their clients. *The Lancet*. November 5, p. 970-971.
- Venereal infection among British troops in France and Germany. *The Shield*, April, p. 119.



# Journal of Social Hygiene

EDITOR-IN-CHIEF: MAURICE A. BIGELOW

Editorial Board to be named in the next issue.

The American Social Hygiene Association presents the articles printed in the JOURNAL OF SOCIAL HYGIENE upon the authority of their writers. It does not necessarily endorse or assume responsibility for opinions expressed or statements made. The reviewing of a book in the JOURNAL OF SOCIAL HYGIENE does not imply its recommendation by the Association.

The JOURNAL OF SOCIAL HYGIENE is supplied to all members of The American Social Hygiene Association, Inc. Membership dues are two dollars a year. The magazine will be sent to persons not members of the Association at three dollars a year; single copies are sold at seventy-five cents each. Back numbers of the JOURNAL are available at seventy-five cents, excepting Volume 1, Nos. 1 and 2, the price of which is one dollar each. Correspondence should be addressed to The American Social Hygiene Association, Inc.

The JOURNAL OF SOCIAL HYGIENE is published quarterly in January, April, July, and October for the Association by the Boyd Printing Company, Inc. at 27-29 Columbia St., Albany, N. Y.

Price \$3.00 per year; 75 cents per copy

Entered as second-class matter at post-office at Albany, New York, March 23, 1922.

Acceptance for mailing at special rate of postage provided for in Section 1103, Act of October 3, 1917, authorized March 23, 1922.

Copyright, 1922, by The American Social Hygiene Association, Inc.

## CONTRIBUTORS TO THIS ISSUE

BASCOM JOHNSON, attorney and director of the department of law enforcement activities of the Association, has written on numerous subjects within the general field of legal measures (SOCIAL HYGIENE, March, 1915, September, 1915, October, 1917, and January, 1918).

DR. KATHARINE B. DAVIS, general secretary of the Bureau of Social Hygiene, is one of the best-known women in social-hygiene circles, and has previously contributed to SOCIAL HYGIENE (October, 1918).

In this issue is presented the third instalment of the series by Miss TOPPING and Mr. WORTHINGTON on "Specialized Courts Dealing with Sex Delinquency," the article on Chicago appearing in the October, 1921 issue, and that on Philadelphia, in the issue of January, 1922.

# Journal of Social Hygiene

VOL. VIII

APRIL, 1922

NO. 2

---

## THE FUNCTIONS OF LAW AND LAW ENFORCEMENT IN COMBATING VENEREAL DISEASES

BASCOM JOHNSON

*Attorney for the American Social Hygiene Association*

Law is the foundation of all public-health effort. Law enforcement is the activity of the administrative structure built on that foundation. The responsibility for protecting the public from the venereal diseases is placed by law on state and municipal health departments. The appropriations for such departments are made by law, their powers defined by law, and their efforts controlled by the courts as interpreters of the law. Broad powers to protect the public health have long existed in health departments by legislative grant in most states. These powers include the right to make rules and regulations on designated subjects which have the force of law and are therefore quasi-legislative; also semi-judicial powers to deprive of their liberty diseased persons who constitute in their judgment a public-health menace. The arbitrary use or abuse of these powers is, of course, controlled by the courts. The extension of these powers of health departments to protect the public from venereal diseases is largely an outgrowth of the war.

Prior to January 1, 1917, only thirteen state health departments exercised this power—now all states have statutes or health regulations providing some form of protection to the public from venereal diseases. In combating other communicable diseases, health departments have sought primarily to eliminate the cause of those diseases as the most effective method of preventing their spread. The attack on yellow fever was successful because a way was found to prevent the access of a certain kind of mosquito to human beings. Bubonic plague was checked by eliminating in the same way the infected rat. The attack on venereal diseases, to be completely successful, must follow the same general plan.

The source of venereal diseases, however, is immensely more difficult to eliminate. It is obviously impossible to treat human beings, no matter how depraved, as vermin. Furthermore, the same willingness to avoid exposure in the other cases does not exist in the case of the venereal diseases. Thousands of our fellow citizens have been informed of the dangers of extra-marital sex relations, yet many of them continue to run the risk and become infected.

There will be no serious dissent from the statement that extra-marital sex relations are the immediate or ultimate source of all venereal diseases. Such diseases acquired inside the marriage relation, and the comparatively small number of accidental non-sexual infections, all can be traced back to some prior extra-marital sexual infection. Health departments, therefore, are interested vitally and primarily in reducing the number of such illicit relations. Their eventual elimination is the ideal of social hygiene.

Among the more important methods adopted by social hygienists to this end are: 1. Education—to raise the standard of sex conduct; 2. Recreation—to provide wholesome substitutes for vice; 3. Law enforcement—to enforce as much of the existing sex standard as is expressed in law; 4. Medical measures—to provide facilities for the early diagnosis and treatment of those who become diseased, innocently or by breaking the barriers set up by the other methods.

My subject does not permit discussion of the value of education or recreation in the social-hygiene program. Their fundamental and far-reaching importance is sufficiently obvious to require no such demonstration. Moreover, their success is not primarily dependent on law or law enforcement, the topic assigned me.

We have arrived, therefore, at the consideration of this question: How far can law or law enforcement be depended upon to reduce the number of extra-marital sex relations? In discussing this question, I will consider, first, the effect of health laws and regulations, and second, the effect of laws against prostitution and kindred sex offenses.

Many states have health laws or regulations which penalize persons who, knowing that they are venereally diseased, infect others through sexual relations. There are no figures at hand showing the number of arrests and convictions under such laws or regulations. It is believed that few such cases have been prosecuted. One case in Texas is illustrative of the difficulties involved: A prostitute was charged with infecting a man and was acquitted because no proof could be produced that she knew she was infected.

Health departments, sometimes by direct legislative enactment and sometimes under their broad general powers, have the right to declare houses of prostitution, among other places, to be health nuisances and to abate them as such. This procedure was adopted in New Mexico by the state health officer during the war in face of the fact that there was then no law in that state against keeping a house of prostitution, and cities were authorized by the state legislature to establish red-light districts. The procedure was to give the inmates twenty-four hours' notice to leave and then to put a padlock on the door, leaving the sheriff on guard. The inmates invariably left town after an exhibition of such power, exercised on the sole initiative of the health officer, summarily and without appealing to the courts.

The health officer of West Virginia adopted a somewhat more cumbersome though no less effective procedure to the same end.

The legislature in that state has empowered the health officer to proceed in the courts to enjoin and abate all public-health nuisances. Failing to get action from the police of one of the largest cities, possibly because the laws against prostitution are notoriously weak in that state, the health officer took action under the health law above described, and closed up a number of open houses of prostitution by court action.

If all health officers showed the same courage and resourcefulness as the two above cited this type of law or regulation would have marked effect on the extent of illicit sex relations. Such action appears to be the exception rather than the rule, however, and is apparently considered by health officials as lying outside their legitimate functions and more in the domain of police and prosecuting attorneys in the enforcement of the criminal laws.

The other outstanding health law or regulation calculated to reduce the number and amount of illicit sex relations is the law permitting boards of health to quarantine venereal-disease carriers until rendered non-infectious by medical treatment. Health boards in forty-five states have the power to examine and quarantine persons reasonably suspected of having venereal disease. In twenty-seven of these forty-five, persons who may be "reasonably suspected" are defined to include prostitutes and those associating with them. The practical difficulty with this law or regulation as applied to prostitutes and their customers is that health boards are not equipped with personnel or machinery to locate, identify, or arrest such persons. Therefore, the exercise of this discretion by health boards is fraught with so much danger and so great possibilities of injustice that as a rule they have preferred to leave the whole matter of determining who are prostitutes or promiscuous males to the police and the courts under the well-established procedure of arrest, trial, and conviction for sex offenses.

The conviction of any person in the courts of a sex offense involving promiscuity has always afforded ample ground for health departments to invoke the quarantine law, and a large

number of prostitutes and an increasing number of their customers have been quarantined by health departments during the last three years after such preliminary action by police and courts. The important fact to remember in connection with this health law is that its usefulness as far as sexually promiscuous persons are concerned is directly dependent upon the existence of adequate laws against prostitution and upon the efficiency and coöperation of police and courts in enforcing those laws. In evaluating the influence of this health law and its enforcement on the extent of illicit sex relations, attention is invited to the following points of vital importance: A percentage of sex offenders dependent on their class and sex, fluctuating widely but on the whole slowly increasing, is found on examination not to be diseased and cannot, therefore, be isolated under this health law. Furthermore the confinement of diseased persons under quarantine must of necessity cease when they are rendered non-infectious, and the period during which their sex conduct may be restrained is, therefore, in many cases short. Little is accomplished if promiscuous persons are turned back into the community with a clean bill of health to continue their sex habits and to become infected or reinfected sooner or later. The vital and fundamental thing of real and permanent value is to cure such persons of their sex delinquency. This is true from every point of view. It is obviously true from a public-health point of view. There is real danger that city officials in their zeal to treat medically and to cure venereal disease, will overlook this larger aspect of the question.

An officer connected with the Juvenile Court in a large eastern city recently stated that she was greatly troubled because the only place to which the health department was able to send for treatment the youthful venereally-diseased sex offenders passing through that court, was a hospital where the girls were thrown into intimate contact with hardened and depraved professional prostitutes.

If it were necessary to choose between curing people of the habits which result in disease and curing them of the disease,

no sane person would hesitate for a moment to choose the former. There is no necessary conflict however between the health and correctional programs. All the confusion and mistakes we make result from the over-emphasis placed on some one phase of social hygiene to the exclusion of the others.

The big outstanding conclusion from all our recent experience in social hygiene is that no specialized group can hope to succeed even in its own specialty without the coöperation of the other special groups.

This principle is forcefully illustrated in the experience of the venereal-disease-prevention group. This group, largely composed of medical men, is dependent for the real success of its program on the success of the law-enforcement and correctional group. The latter on the other hand is dependent for permanent progress in its campaign for prevention and cure of sexual delinquency on the success of the educational group whose efforts more than any others should influence human sex behavior—the first cause of all our troubles.

I come now to the consideration of the second group of laws and their enforcement which have an influence on preventing illicit sex relations and, therefore, venereal diseases. These laws are aimed directly at such illicit relations and vary with the sex standards of the various states.

This point must not be overlooked. Law and law enforcement never rise higher than their sources. If the standards of a given community are low, the laws are sure to be weak or the machinery for their enforcement inadequate. If, on the other hand, community standards are high, the legal tools in the hands of officials are many and sharp, the personnel at their command well trained and well paid, the spirit behind the job progressive and militant.

Laws against prostitution may be generally divided into two classes: first, laws against the commercialized aspects of prostitution (the activities of third parties to exploit or protect prostitution for profit); and second, laws against the activities of the woman who sells and the man who buys sexual gratification.



Under the first class come the criminal laws penalizing the transportation of persons, for purposes of prostitution, between the states (the Federal law of 1910) or within the state (the so-called state white-slave traffic act which exists in 27 states), laws against compulsory prostitution (in 44 states), against procuring for prostitution (in 46 states), against living off the earnings of prostitutes (in 36 states), and against keeping houses of prostitution (in 45 states).

In addition to these criminal laws, there exists in 41 states the civil law known as the Injunction and Abatement Law. This law generally authorizes the district or county attorney or any citizen of the county to bring a civil action to enjoin the owners, agents, keepers, and inmates of property used for purposes of prostitution, lewdness, or assignation, from permitting or continuing such use, and to close such premises under abatement orders as public nuisances.

The existence and enforcement of these laws against the commercialized aspects of prostitution are mainly responsible for the elimination of many red-light districts all over the country, and they have broken the back of prostitution as an organized business.

Among the second class of laws against prostitution, namely laws penalizing the activities of prostitutes and their customers, may be listed laws against soliciting (30 state laws penalize soliciting by women, and 16 of these include the man). For frequenting a bawdy house, both sexes may be punished in 23 states. The woman only is punishable in five other states, the man only in five additional states. In the latter case the male is punishable for frequenting only when it is habitual. Forty states penalize the woman for prostituting herself anywhere while her customer is guilty of prostitution in 14, of no offense in 18, and of fornication in the remaining eight, unless it took place in a bawdy house when, in some cases, he may be arrested as a frequenter. In addition, Missouri penalizes the woman for prostitution if it takes place in a prairie schooner or a shanty. It will be observed that many more states lack laws of this class than lack laws against the commercialized aspects.

From the public-health point of view this is a serious omission because the police, the courts, and health departments in many states are prevented thereby from arresting and bringing under correctional and medical treatment the most dangerous class of actual and potential venereal-disease carriers.

Figures showing the effect of both classes of prostitution laws and their enforcement on the venereal-disease rate among civilians are lacking largely because laws or regulations requiring the reporting of venereal diseases existed in only thirteen states prior to January 1, 1917. Although 30 additional states have since swung into line, doctors in general do not yet obey the law, and health departments do not generally enforce it, preferring to use moral suasion.

A suggestion as to the effect of law enforcement is found in the prophylactic and the venereal-disease rates in the army. In one large city of over half a million, near which large bodies of troops were stationed, a combined campaign of quarantine under the health law and enforcement of prostitution laws was mainly responsible for the following results. Admitted exposures (prophylactic rate) of soldiers in that city decreased from 826.18 per thousand per year in October, 1917, to 218.03 in April, 1918, and to 39.65 in October, 1918. During the same period the annual venereal rate among those troops decreased from 167.67 per thousand to 37.73 in April and to 6.61 in October.

Due credit must be given to the educational work with the soldiers and the recreational program of the government for their influence on these decreases in exposures and in venereal-disease rate. These measures, however, did not get into motion quite so quickly as the law-enforcement program, and may be somewhat discounted as factors during the period October, 1917 to April, 1918. It seems fair, therefore, to credit the joint efforts of health department, police, and courts in the enforcement of health laws and laws against prostitution with a 74 per cent decrease in illicit sex relations by soldiers during a period of six months. As was to be expected, this decrease in sexual indulgence produced a corresponding decrease in disease—the reduction being 77 per cent during the same period.

A study of the prophylactic and disease rates in 125,000 American soldiers in the Third Army in Germany for the months of March, April, and May, 1919, proved the relation of exposure to disease quite as conclusively, but from the opposite angle. In the face of improved prophylactic efficiency, the exposure or prophylactic rate climbed from 226 per thousand in March to 444 in May, 1919. Paralleling this increase in exposures, the disease rate jumped from 13 on February 15, to 30 on May 20.

Numerous examples of similar reduction in rates among American troops in this country accomplished by law enforcement since the war can be cited. As stated above we are yet unable to prove such reductions among civilians. While it is reasonable to believe that the wide-spread elimination of open houses of prostitution and the restrictions placed on the activities of prostitutes on the streets and elsewhere have greatly reduced the number of their contacts with civilian men and consequently the amount of disease they spread, the absence of adequate reporting statistics makes it impossible of proof.

Nor have we any adequate figures to prove whether this decrease in the activities of professional prostitutes is being compensated by increased sexual immorality among the so-called "charity girls" (those who are promiscuous without pay). The following resolution of the All-America Conference on Venereal Diseases, held in December, 1920, at Washington, D. C., represents the opinion of those best qualified to know:

There is no evidence of an increase in promiscuity in the United States since 1910; that it is the opinion of the conference that the closing of the red-light districts and the repression of commercialized prostitution which has taken place since 1910, and particularly during the past three years, has materially reduced the total of illicit sex relations in the United States.

It is obvious, however, that we cannot expect to obtain decreases in our venereal-disease rate among civilians in proportion to those obtained in the army where the men are subject to discipline and restrictions fairly commensurate with those imposed

on prostitutes, unless our laws and our law enforcement apply equally to both sexes.

We have made encouraging advances in legislation along this line since 1918 and there are now twelve states which in state laws define prostitution to include the activities of the man as well as the woman. To secure the impartial enforcement of these laws in these states and their adoption and enforcement in the remaining 36 is the immediate program of social-hygiene law enforcement.

# A STUDY OF THE SEX LIFE OF THE NORMAL MARRIED WOMAN

MADE BY THE BUREAU OF SOCIAL HYGIENE IN COÖPERATION  
WITH A SPECIAL COMMITTEE

KATHARINE BEMENT DAVIS, PH.D.

*General Secretary, Bureau of Social Hygiene*

## I

### THE USE OF CONTRACEPTIVES

The need for more adequate data as to both the physical and the mental facts of the sex life of the normal individual is now generally recognized by psychologists, psychiatrists, and students among medical men, as well as by those whose interests lie in the practical fields of social hygiene.

Among the latter there is a growing belief that however much may be accomplished by the control of disease on the one hand and the enactment and enforcement of laws repressing vice on the other, the fundamental method to be employed in bringing about a more satisfactory adjustment of the sex relationship is that of education.

In no part of the field of education is there greater difference of opinion than in that which deals with sex. This is largely because, except on the pathological side, sex is scientifically an unexplored country.

Because of the lack of data as to normal experiences of sex, on which to base educational programs, about a year ago the Bureau of Social Hygiene, at the request of other organizations, undertook to make a study of the sex life of normal married women.

Although recognizing the limitations of the questionnaire method, it was adopted as that best suited to the purpose in hand.

A coöperating committee was formed consisting of eleven

women well known for their work in psychology, medicine, and sociology.

The questionnaire in its final form consisted of eight pages (large letter size) of questions. It was the result of suggestion and criticism, not only from members of the committee but from a number of scientific men, who from their standing in psychology, psychiatry, or sociology, were best fitted to advise as to content and form. The questionnaire is divided into five sections: A. General, B. Childhood, C. Adolescence up to marriage, D. Marriage, E. For women who have passed the menopause.

A preliminary letter was prepared explaining the purposes of the study and the method of conducting it so that the identity of the women answering might be lost. This letter asking for coöperation was first sent to 5000 women in all parts of the United States. This list of names was secured with the aid of a large national organization which has representatives in practically every city and town of any size in the country. The instructions were that the names submitted should be those of married women of respectable standing in the community, of sufficient intelligence and education to understand and answer in writing a rather exhaustive set of questions as to sex experience.

In each letter was a return card and envelope. The women were asked to indicate on the card whether they would coöperate by filling out the questionnaire or whether they wished to read it before deciding. They signed name and address.

From the first 5000 letters, 1365 cards were returned requesting questionnaires. 210 requests were also sent in through members of the committee. As a result, 436 filled-out questionnaires were received.

As any deductions from so small a number seemed unwise to the committee, letters were sent to 5000 more women. These were chosen equally from the alumnae of our colleges and universities and from the published lists of members of women's clubs. A somewhat larger response has come from this second 5000 and we now have 1000 filled-out questionnaires.

TABLE I  
 REPLIES OF 1000 WOMEN TO QUESTIONNAIRE, CLASSIFIED BY USE OF CONTRACEPTIVES AND OPINION OF VOLUNTARY PARENTHOOD

	Un-answered	Never employed contraceptive methods	Em-plied contra-ceptive methods	Using*	Reasons					D-19 (6) Approve volun- tary parent- hood*	Ex- pressed dis-approval	Failed to express opinion
					Eco- nomic	Health	Both	No children wanted	Time for adjust- ment	In- definite or other reasons		
D-19 (1 and 2) 1000 Cases												
University and college graduates (691)	11	160	520	76.48	112	113	75	15	48	157	55	
College undergraduates (66)	...	19	47	71.21	5	15	11	3	5	8	3	
High and normal graduates (145)	2	41	102	71.32	25	26	10	4	8	29	9	
Less than high school (62)	...	22	40	64.51	10	11	3	3	3	10	5	
Private school or tutors (35)	2	12	21	63.63	4	6	1	...	1	9	5	
Unanswered (1)	...	1	...	...	...	...	...	...	...	...	...	1
TOTALS (1000)	15	255	730	74.11	156	171	100	25	65	213	78	173

\* Percentage of those answering in each group.

The answers to the questions in Section A show that the group as a whole was much above the average in education. About sixty per cent had been gainfully employed previous to marriage. The large proportion were in good health and happily married. The sex histories of such a group cannot fail to make an important contribution to our knowledge of the subject. The character of the replies shows that they are the result of careful and painstaking effort to present truthfully the personal experience of the writers, in the hope that they might be of value in formulating educational programs. Many women have written very fully with the result that we are digesting about ten thousand manuscript pages.

In the *Social Hygiene Bulletin* for June and December, 1921, we presented summaries of the replies to Sections A and B respectively.

In view of the public interest that has been aroused recently in the question of "birth control" or "voluntary parenthood," it has occurred to us that a presentation of the data furnished by the questionnaires on this particular subject would be timely.

Section D, Question 19 (6) of the questionnaire asks "What is your opinion as to the use of means to render parenthood voluntary instead of accidental?"

Out of the first thousand questionnaires received, only 78 women expressed disapproval of the use of any means to prevent conception. Fifteen failed to answer any part of question 19, and 173 failed to answer Question 19 (6). Seven hundred and thirty-four expressed approval in a general way of voluntary parenthood. Of these a considerable number registered themselves as approving in principle, but made certain qualifying statements. Eleven stated that they believed it justifiable under certain restrictions, but did not mention the restrictions. Fourteen stated that they believed in it in principle, but felt that abstinence was the only justifiable method. Three stated that they approved "when intelligently directed." Seven felt that it was necessary to use such methods, but were undecided as to whether it was right or wrong. Other comments were:



"Unpleasant, but a necessary compromise with civilization."  
"Allowable, but retards spiritual development." "Nature better not be tampered with except in cases of disease likely to be transmitted."

Of the 734 who believed "in principle" in voluntary parenthood, 730 had themselves used contraceptive methods. In connection with the figures presented, possible correlations are of interest. We have chosen for this present report a correlation with the formal education of the women reporting.

Table 1 shows the number in the various educational groups of those who approved or disapproved the regulation of parenthood, and those who did or did not use contraconceptive measures, together with the reasons given for employing them.

The college graduates so greatly exceed in number the other groups that it is probably scarcely fair to draw any conclusions from the relative percentages in the different educational groups.

Question 19 (2) asks "What were your reasons or motives for employing contraceptives?" In a considerable proportion of cases the reasons given were so indefinite as to make them difficult of classification.

Reasons such as those of the 156 who pleaded "As many children as we could afford," or "We wanted to be able to give a satisfactory education to our children," are classed as "Economic."

"Health" may include either the health of the husband or the health of the wife (very frequently we were unable to determine which), or in some instances the fact that the children already brought into the world had not been physically fit.

There were 25 who stated that they had no children and wanted none. But among the reasons for wanting none were a certain number that would seem to be temporary in character. The same explanation, for example, was given by women who already had one or more children, but who did not want more at a particular time for a particular reason.

Conditions that would seem to be temporary are as follows:

Was not married, 3. (These women had sexual relations previous to marriage). Traveling around and very unsettled, 1. Husband had to go to France, 3. Husband political offender and went to prison, 1. "Lived in the wilderness," 1. Lived with husband's family—complicated home relations, 2.

On the other hand conditions that were likely to remain permanent were: Had several stepchildren to care for, 2. Epilepsy in family, 1. Insanity in family, 1. Sickness in family, 1. Husband unfaithful, 1. Husband tubercular, 1. Husband not congenial, 1. Husband did not want children, 3. Was nervous and melancholy and did not want to perpetuate temperament, 1. Horror of childbirth (from childhood impressions), 1. "Would not bring children into such a poorly organized society," 1.

In the group of women who already had one or more children, among other reasons for using contraceptives are: The family considered large enough, 70. Wanted children far enough apart to receive proper care, 75. Too old to have more children, 2. Sex relation so valuable in itself it should be freed from fear, 2.

Other explanations were similar to those in the group above, for example: Dread of childbirth after having had one child, 1. Two children already born had been physically defective, 2. "If I had not used such methods would have had a child every year," 1. Was too selfish to want more than one, 1. Husband intemperate, insane, syphilitic, tubercular, or unfaithful, 9.

It is interesting to note that only two of the entire group listed mention a fear of childbirth.

Table II shows the correlation in the different educational groups, between the use or non-use of contraceptive measures and the average number of pregnancies and children, together with the average age of each group. One case was omitted because of failure to answer as to education, and 15 failed to answer the question as to use.

TABLE II

REPLIES OF 1000 WOMEN TO QUESTIONNAIRE SHOWING CORRELATION  
BETWEEN USE OF CONTRACEPTIVES AND NUMBER OF CHILDREN

1000 CASES	USED CONTRACEPTIVE MEASURES			DID NOT USE CONTRACEPTIVE MEASURES		
	Average Number of Pregnancies	Average Number of Children	Average Age	Average Number of Pregnancies	Average Number of Children	Average Age
College Graduates (680)	2.30	1.84	35.97	1.67	1.37	41.59
College Undergraduates (66)	2.61	1.93	37.65	.84	.52	38.21
High and Normal Graduates (143)	2.75	2.16	40.13	1.24	1.04	36.76
Less than High School (62)	3.1	2.15	38.13	1.77	1.58	40.62
Private and Tutors (33)	3.71	2.75	44.43	2.75	2.25	47.81
984	2.50	1.93	37.01	1.65	1.31	40.77

15 Unanswered as to use  
1 Unanswered as to education

1000 Total

The interesting point in this table is that the group which used contraceptive measures has a higher average of pregnancies and of children than the group which did not use them. We were interested to discover whether this difference was the result of chance sampling or was a real difference in the group studied. We therefore compared the two groups as to number of pregnancies and percentage of each group and applied the formula<sup>1</sup> used for measuring the probability of existence of a real difference. The result showed that for practical purposes a real difference existed.

The average age of the 730 women who had employed contraceptive measures is 37.01 years, while that of the 255 who had never used them was 40.77 years, or 3.76 years older. Interest-

<sup>1</sup> Using the formula  $\frac{\text{difference}}{\sigma \text{ difference}}$ , the difference between the means being .851 and the standard deviations of the means being .095 and .069 respectively, the quotient obtained was 7.22, indicating that the chances that a real difference does not exist are about 1 in infinity.

ing comparisons can be drawn, as for example, the difference between the average ages of college women using and not using these methods is 5.62 years or nearly two years greater than for the entire group.

Table III shows the number of pregnancies and the percentages in each of the two groups. A casual examination of the percentages is interesting. In the group using contraceptives it will be noted that the percentages rise from 12 per cent of those never having had a conception to practically 25 per cent of those having had two conceptions, after which the number diminishes. On the other hand in the group of those who have never used contraceptives 29 per cent never had a conception and only 20 per cent had as many as two. Also the number of pregnancies run to 13 in the group using contraceptives, while there is only one case of those who did not use contraceptives

TABLE III

COMPARISON OF NUMBER OF PREGNANCIES OF THE GROUPS USING AND NOT USING CONTRACEPTIVE MEASURES.

NUMBER OF PREGNANCIES	DID NOT USE CONTRA- CEPTIVES		USED CONTRACEPTIVES	
	Number of Cases	Per cent	Number of Cases	Per cent
None	74	29.01	89	12.19
One	59	23.13	138	18.90
Two	52	20.39	182	24.93
Three	39	15.29	134	18.35
Four	19	7.45	95	13.01
Five	8	3.13	51	6.98
Six	3	1.17	18	2.46
Seven	1	.39	11	1.50
Eight	...	...	6	.82
Nine	...	...	2	.27
Ten	...	...	...	...
Eleven	...	...	2	.27
Twelve	...	...	1	.13
Thirteen	...	...	1	.13
TOTAL	255	100.0	730	100.0
Average pregnancies	1.65	—	2.50	—

who had as many as seven pregnancies. It would therefore appear possible that the woman who did not use contraceptives may not have had the same need for it as did those in the other group.

Question 19 (4) "What was the source of your information as to the means used?" is of interest.

In examining Table IV it must be borne in mind that in a number of instances more than one method was employed.

TABLE IV

## SOURCES OF INFORMATION AS TO CONTRACEPTIVE MEASURES

*Physicians .....	370	"Common knowledge" .....	27
Married women friends ..	174	*Nurse .....	15
Husband .....	139	*Medical studies .....	9
Mother .....	42	"Various" .....	8
Friend of husband .....	39	"Drug store man" .....	6
*Books .....	33	The Bible .....	2
*Birth-control circulars .....	31	A servant .....	1
		A psychoanalyst .....	1

\*Indicates direct information.

It will be noted that in 458 cases or slightly more than half, information was received from direct sources while in 439 cases knowledge of methods was obtained secondhand.

In considering the tables presented it must be remembered that the one thousand women whose answers to these questions are summarized do not present a fair section of womankind in general. The mere fact alone of the high percentage of college women indicates that it is a special class which is under consideration.

In order to test in some degree the relative advantages of the questionnaire versus the personal interview method, Dr. Elizabeth Spencer McCall, psychiatrist, of the Women's Medical College, Philadelphia, was engaged to obtain similar information from a group of women, using the questionnaire in addition to a preliminary and subsequent interview. We had hoped for a group of one hundred. This proved impracticable and we contented ourselves with fifty.

It is interesting to compare the information received from the questionnaire on this matter of the use of contraceptives with that obtained by Dr. McCall.

In the first place the composition of the two groups is not the same.

The following table summarizes the chief differences:

TABLE V  
COMPARISON OF QUESTIONNAIRE GROUP (1000 CASES) WITH PERSONAL  
INTERVIEW GROUP (50 CASES)

QUESTIONNAIRE 1000 CASES		PERSONAL INTERVIEWS 50 CASES
<b>AGE</b>		
Highest	83 years	53 years
Lowest	21 years	26 years
Mode	30 years	40 years
Average	38.3 years	38.3 years
Thirty-five years and under	47.2%	32%
<b>EDUCATION</b>		
College and university graduates	69.1%	22%
College and university undergraduates	6.6%	6%
High and normal graduates	14.5%	46%
Less than high school or normal	6.2%	18%
Private schools or tutors	3.5%	18%
Unanswered	one	none
<b>OCCUPATION BEFORE MARRIAGE</b>		
Engaged in gainful occupation before marriage	59.7%	50%
Not employed	39.7%	50%
Of these teachers	36.9%	24%
Un answered	six	none
<b>OCCUPATION SINCE MARRIAGE</b>		
Gainfully employed outside the home	23.9%	18%
Unanswered	seventy-eight	one
<b>HAPPINESS OF MARITAL LIFE</b>		
Happy or better	87.0%	94%
Definitely unhappy	4.4%	none
Unanswered	thirteen	none
<b>HEALTH BEFORE MARRIAGE</b>		
Good or better	73.6%	78%
Poor or worse	2.8%	4%
Mixed	23.6%	18%
<b>HEALTH AFTER MARRIAGE</b>		
Same as before	65.3%	66%
Better	18.6%	10%
Worse	14.2%	24%
Unanswered	five	none

The most important differences in the two groups are in age and education.

While the average 38.3 years is the same for both there is much greater variation in the questionnaire group than in the personal interview group. The former ranges from 21 to 83, a span of 62 years while in the latter group there is only 27 years difference. The mode of the latter group is ten years higher than that of the former.

The college trained woman is more than three times as numerous in the questionnaire while the personal interview group has three times as many women of less than high-school education.

A larger percentage of the questionnaire group were employed both before and after marriage—their health after marriage was better, but on the other hand the percentage of happy marriages seems to be somewhat larger in the personal interview group.

We come now to a comparison of the two groups as to the use of contraceptive measures.

TABLE VI  
 REPLIES OF 50 WOMEN IN PERSONAL INTERVIEW GROUP CLASSIFIED BY USE OF CONTRACEPTIVES AND OPINION OF VOLUNTARY PARENTHOOD

D-19 (1 and 2) 50 Cases	Un- answered	Never em- ployed contra- ceptive methods	Em- ployed contra- ceptive method	Per- cent using	REASONS						D-19 (6) Approve volun- tary parent- hood	Ex- pressed dis- approval
					Eco- nomic	Health	Both	No children wanted	Time for adjust- ment	In- definite or other reasons		
University and college graduates (11)	...	4	7	66.7	...	2	1	...	...	4	6	2
College undergraduates (3)	...	...	3	100.	...	2	...	...	...	1	2	1
High and normal graduates (23)	...	8	15	65.2	5	4	1	...	...	5	18	1
Less than high school (9)	...	3	6	66.7	1	...	1	...	...	4	4	3
Private school or tutors (4)	...	1	3	75.	...	1	1	...	...	1	3	...
TOTALS (50)	...	16	34	68.	6	9	4	...	...	15	33 or 66%	7



Comparing Table IV with Table I, we find that 68 per cent as against 74 per cent in the larger group have themselves used contraceptives while only 66 per cent actually approve. Five of these 33 who approve do it with reservations. One disapproves of certain specific methods, believing them undesirable psychologically. Another thinks such methods "wise in the hands of intelligent and good people." Another, "Only under medical advice." While still another, who had herself employed them, says she would approve of general information as to contraceptives if she were sure "it didn't loosen morals."

Only two of the seven who disapprove give reasons. One writes, "I do not believe in a general knowledge of preventives. I do believe in education toward self-control." The other believes in it only under doctor's orders in case of poor health. She does not approve of general information.

TABLE VII

REPLIES OF 50 WOMEN IN PERSONAL INTERVIEW GROUP SHOWING CORRELATION BETWEEN USE OF CONTRACEPTIVES AND NUMBER OF CHILDREN

PERSONAL INTERVIEW GROUP 50 CASES	USED CONTRACEPTIVE MEASURES			DID NOT USE CONTRACEPTIVE MEASURES		
	Average Number of Preg- nancies	Average Number of Children	Average Age	Average Number of Preg- nancies	Average Number of Children	Average Age
College Graduates (11)	2.28	1.57	35	1.00	1.00	37.5
College Undergraduates (3)	4.33	3.66	33.6	...	...	...
High and Normal Graduates (23)	2.8	2.26	37.8	2.00	1.37	40.6
Less than High School (9)	4.00	3.33	38.1	3.66	3.33	45.3
Private School or Tutors (4)	2.66	2.00	43.6	1.00	1.00	31.
TOTAL	3.02	2.40	37.4	1.99	1.61	40.1
For comparison, 1000 cases (Questionnaire)	2.50	1.93	37.01	1.65	1.31	40.7

Table VII shows that the relative average ages of those in the two groups who use and who do not use contraceptives is practically the same. In comparing the number of pregnancies we find that they are about twenty per cent higher in the personal interview group both with those who use and who do not use these methods, while the difference in the number of children is in about the same proportion.

The ratio of the number of pregnancies of those who use to those who do not use contraceptives is almost identical in the two groups.

TABLE VIII

## SOURCES OF INFORMATION AS TO CONTRACEPTIVE MEASURES

*Physician .....	19	*Book .....	2
Married woman .....	6	Friend of husband .....	1
Husband .....	10	Advertisement .....	1
Mother .....	3		

\*Direct sources.

Table VII shows that in this group as in the questionnaire group only about one half the information comes from direct sources.

As was to be expected, the number of unanswered questions is almost nothing in the special interview group.

TABLE IX

## CORRELATION BETWEEN CONTRACEPTIVE INFORMATION AND SEX INTERCOURSE PRIOR TO MARRIAGE

Questionnaire Group 1000 Cases	Had information prior to marriage		Had no informa- tion prior to mar- riage		Unanswer- ed as to in- formation	Totals	
	433 = 44.1%*		547 = 55.8%*		20	1000	
	Had sex in- tercourse prior to marriage	Per- cent- age	Had sex in- tercourse prior to marriage	Per- cent- age	Had inter- course prior to marriage	Had inter- course prior to marriage	Per- cent- age
	50	11.1†	19	3.2‡	2	71	7.1**
Personal Interview Group 50 Cases	14 = 28%*		36 = 72%*		...	50	
	1	7.0†	2	5.0‡	...	3	6.0**

\* Percentage of total answering (Questionnaire group, 980; personal interview group, 50).

† Percentage of total having information prior to marriage (Questionnaire, 433; interview, 14).

‡ Percentage of total having no information prior to marriage (Questionnaire, 547; interview, 36).

\*\* Percentage of total in group (Questionnaire, 1000; interview, 50).

The question, "Does knowledge of contraceptive measures prior to marriage contribute to the incidence of illicit sexual relations?" is of decided importance in relation to the problem of voluntary parenthood. This study provided some data on this question, which is summarized in Table IX.

The size of the groups involved, the selective factors present, and the inadequacy of the data make interpretation precarious. Undoubtedly the results should not be interpreted literally, particularly as these particular correlations fail to show the relationship between contraceptive knowledge, sexual precocity, and more general character trends. These latter factors may be as important in determining illicitness as contraceptive knowledge; in fact these may be factors in determining the acquisition of such knowledge.

It will be noted that Table IX shows that 71 women had sex intercourse prior to marriage. The number is so small that it is impossible to draw any general deductions, but the following figures may be taken for what they are worth:

TABLE X

Had intercourse before marriage with fiancé only.....	35
Had intercourse before marriage with one person only (not fiancé)..	12
Had intercourse with more than one person.....	16
Person not specified.....	8
Total .....	71

Selecting the sixteen who had intercourse with more than one person we find that of these, ten individuals had contraceptive information, two say they had none at all, two reply "almost nothing"—one does not answer the question and one answers so indefinitely that she cannot be classified.

As to the general education of the sixteen, we find that six are college graduates. Of these one has also the M. A. and M. D. degrees and states that she knew all about contraceptive measures. Two had two and three years in college respectively. Three were high-school graduates, three had one or two years in high school, one had gone no further than the eighth grammar grade and one had always had private governesses and tutors.

A question has arisen as to the possible relation between information concerning the prevention of pregnancy and the resort to abortion to terminate a pregnancy already begun.

Section D, Question 24 of the questionnaire asks: "Have you ever had artificial abortion performed?" Ninety-three women or 9.3 per cent reply in the affirmative.

Table XI shows a total of 149 cases of abortion.

TABLE XI

Have had one artificial abortion.....	63
Have had two artificial abortions.....	19
Have had three artificial abortions.....	5
Have had four artificial abortions.....	2
Have had five artificial abortions.....	1
Have had seven artificial abortions.....	1
Have had eight artificial abortions.....	1
Total .....	93

In a few cases children were desired, but after pregnancy began it was found desirable to terminate it on account of health. In all but two cases contraceptive measures have been employed at some time.

In a certain proportion of cases abortions were performed *before* any information had been acquired concerning the prevention of pregnancy. In a larger proportion of cases contraceptive measures had been employed and failed. The same reasons in about the same proportions were given for the resort to abortion as are given for the use of contraceptives, i.e. health, economic need of limiting the family, necessity of self-support by the wife, and in thirteen instances the indulgence in sexual relations before marriage.

Four of these thirteen say they had no knowledge of contraceptives prior to marriage. Nine had information of various kinds and degrees which was used unsuccessfully, making resort to abortion necessary if the situation was to be concealed.

Attention should be called to the fact that if Table IX shows a higher percentage of sexual indulgence before marriage among those who possessed contraceptive information as over against those who did not, namely, in the proportion of 11.1 per cent to 3.2 per cent; on the other hand, 88.9 per cent of those having the information were apparently unaffected by it so far as their sex relationships were concerned.

Here again our volume of data is too small to warrant conclusions.

## SOCIAL WORK AND FAMILY CONSERVATION

By whatever name they may be called, the most essential agencies of social work are those which seek to conserve family life, to strengthen or supplement the home, to give children in foster homes or elsewhere the care of which some tragic misfortune has deprived them in their natural homes, to provide the income necessary to family life when self-support for any reason fails, to instruct mothers when necessary in the proper care of their children, to restore broken homes, to discover and if possible remove the destructive influences—such as overcrowding, filth, sweated labor at home, strong drink, infectious disease, excessively long hours at work—which interfere with normal family life and the reasonable discharge of conjugal and parental obligations. The institutions which exist for the benefit of those individuals who have no home or who need care of a kind which cannot well be supplied in a home, only emphasize the importance of conserving family life when its essential elements are present.

*From Social Work* (New York: The Macmillan Company) by Edward T. Devine.

## THE SECOND SESSIONS OF THE MUNICIPAL COURT OF THE CITY OF BOSTON

GEORGE E. WORTHINGTON

*Associate Director, Department of Law Enforcement Activities,  
American Social Hygiene Association*

AND

RUTH TOPPING

*Field Secretary, Bureau of Social Hygiene*

The branch of the Municipal Court of the City of Boston which hears cases of sex delinquency is known as the Second Sessions. This is not a specialized court, in that besides hearing all cases in which one of the defendants is a woman, it also tries many other kinds of misdemeanors and violations of municipal ordinances regardless of the sex of the defendant. An observation of eight sessions revealed that the offenses ranged all the way from walking on the grass in the park to selling decayed meat, and from violating traffic ordinances to selling bananas without a license. This court, while not specialized within the strict meaning of the term, corresponds, nevertheless, to the courts studied in Chicago and Philadelphia.

### JURISDICTION

The Municipal Court of the City of Boston, sometimes called the Central Court, was created by Act of the Legislature in 1866, succeeding the Police Court of Boston.<sup>1</sup> This court, in turn, was "an outgrowth and modification of the old justice of the peace system." The Municipal Court sits in the Suffolk County Court House and its jurisdiction embraces wards six, seven, eight, nine, ten, eleven, twelve, sixteen, seventeen, and eighteen.

<sup>1</sup> Report of Commission of Legislature on the Inferior Courts of Suffolk County, 1912, p. 5.

This area includes all of the old City of Boston, containing practically all of the more important hotels and lodging houses, the business district, and a large portion of the residential district. In greater Boston, there are other district courts of concurrent jurisdiction, viz: Brighton, Charlestown, Dorchester, East Boston, Roxbury, South Boston, West Roxbury, and Chelsea. The present study, however, will be limited to the Central Court.

The Municipal Court has original criminal jurisdiction of all misdemeanors except conspiracies and libels, and of all felonies which are punishable by imprisonment in the state prison for not more than five years.<sup>1</sup> In 1906, the Boston Juvenile Court with jurisdiction of offenses involving children under the age of seventeen was created.

The Second and Final Report of the Judicature Commission, 1921, says:

The word "inferior" often used as to these courts is a purely technical term when properly used, but is apt to have an unfortunate significance in the minds of many people. The courts are not "inferior" in importance in any sense whatever. They are in many ways the most important courts in the Commonwealth because of the fact that they represent the administration of justice in Massachusetts to the minds of more people than any other courts.

The Municipal Court of the City of Boston, because of its position as the central court in the largest city of the state, . . . forms a class by itself, and has been so dealt with by the legislature. There are normally . . . 60,000 criminal entries in this court annually. The administrative experiments, which have been tried in this court with the authority of the Legislature, particularly under the act of 1912, have brought it into a position as a modern court with reasonable equipment and opportunities for service, so that it is capable of still further development in its usefulness whenever the Legislature considers it advisable to take the necessary steps.

The Second Sessions, with which the present study is concerned, hears cases of persons seventeen years of age and over, including all cases in which the defendant is a woman. There

<sup>1</sup> Ibid, p. 6.



are nine justices of the Central Court, including the chief justice, and, in addition, there are four special justices. The chief justice does not sit regularly in any session and the other justices rotate between different sessions throughout the year. Under this arrangement the judge is changed in the Second Sessions approximately every seven weeks. There are about fifteen probation officers attached to the Central Court, four of whom (two men and two women) are assigned to the Second Sessions.

Trial by jury is not provided in the laws establishing the Municipal Court of Boston, neither does the trial of a criminal case in that court constitute a waiver to the constitutional right of trial by jury, under the present law. Appeal lies in all criminal cases as a matter of course. Appealed cases automatically go to the Superior Court where the case is tried *de novo*<sup>1</sup> before a jury, without reference to the prior trial in the court below. The following quotation from the Final Report of the Judicature Commission<sup>2</sup> gives a true picture of what happens in cases appealed from the Municipal Court:

The present number of terms (was) provided for several years ago, since which time criminal business of the county has increased tremendously, approximately 300 per cent. In 1919 two or three special sittings have been had, but even then entirely inadequate to help out the situation. At the beginning of each regular sitting we have approximately 500 cases. Jury sittings are of three weeks' duration, fifteen days in all. We cannot try over one case every day, on an average. This means that substantially 485 must be disposed of in some manner other than trial. This of necessity means filing as

<sup>1</sup> "The present method of *de novo* retrial of facts is fast becoming obsolete; it is a survival of the justice of the peace . . . courts, which are themselves largely of the past; through the ease with which the lower court judgments may be vacated, it precludes respect for the court which enters them; it conduces to lax work of bench and bar; it consumes in legal expense an undue proportion of the amount in dispute, in a class of cases least able to bear such expense; it tends to increase the so-called gambling element of litigation, and there are not wanting evidences that it is fostering a tendency at the second trial to make the evidence fit the needs of the case; in a word, it is a direct encouragement of perjury." Report of the Commission of Legislature on the Inferior Courts of Suffolk County, 1912, pp. 12-13.

<sup>2</sup> Loc. cit. pp. 91-93.

disposition, and unwarranted leniency in many cases, a situation we are practically forced into.<sup>1</sup> The pressure of business is so great that cases cannot be as fully examined by either the district attorney or the court as is desirable.

At present long gaps between March and June and September sittings mean big volume of grand jury work in June and September. Decision in the case of *Commonwealth vs. Harris*, requiring separate examination of witnesses, makes the work extremely cumbersome. Tremendous increase in automobile cases, transfer of bastardy cases to criminal court, extradition in non-support cases, and cases coming to us through newly created statutes, such as Fire Prevention Bureau, etc., has given criminal courts a large amount of new work.

I cannot too strongly inveigh against the present state of affairs in the administration of the criminal law. . . . The tremendous pressure of business does make it impossible to handle cases as they should be handled. The government is practically at the mercy of such defendants as are represented by counsel, who know very well that if they advise their clients to insist on a plea of not guilty and a trial they can clog the meager term of court to the point where the district attorney will himself cry for mercy. That the district attorney may take them at their word now and then, and make them try or plead, is so much of an uncertainty that it fails to daunt them.

Consequently the district attorney and his assistants call in police officers and government witnesses and get their stories. Then defendants' counsel are heard, and then, unless a trial is absolutely unescapable, a crime is disposed of by agreement between counsel, and the judge is asked to rubber-stamp the agreement with his O. K. If there is the slightest doubt that he will do so the case goes off the list to await the time when a judge will be presiding who is not likely to be so independent. This course is not strictly defensible, but it gets its modicum of excuse from the desire that an agreement made by attorneys be carried out—an idea that has some force, although such agreements are always made with an expressed or implied condition that they are subject to sanction of the court. The judge has, of course, the power to upset any agreed disposition that comes before him, and to make his own full and independent investigation into the case and to use his own judgment, but if he does so he uses up much

<sup>1</sup> Table 19, in the Appendix, shows that nearly one third of the appealed cases of sex offenders in the year 1920 received this type of disposition.

precious time and embarrasses the district attorney exceedingly. Any judge who has had experience with the administration of the criminal law is likely to follow unhesitatingly the recommendations of a district attorney whose judgment he trusts, but he is put in an embarrassing position if things have happened which shake his confidence in the district attorney, and I doubt if in any case a judge feels any satisfaction in taking the responsibility for the product of the judgment of somebody else. It must irk to be a rubber-stamp.

While the district attorney is by force of his powers and duties invested with a certain amount of quasi-judicial discretion, I cannot believe that he was ever intended to have or that he ought to have judicial powers beyond his power to *nolle pros.*, and yet, in the practical working out of the present situation, he does, in effect, exercise the power of the judge without having the judge's responsibility.

Another bad feature of the situation is that in the process of trading between the district attorney and the defendants' counsel the district attorney too frequently has to barter a part or the whole of a well-merited sentence imposed by the lower court. In spite of the fact that now and then the sentence of the lower court reveals the knowledge of the lower court judge that his disposition of the case will be made the subject of barter in the Superior Court, I believe that the great majority of the lower court judges in . . . County disregard that knowledge and are utterly conscientious in trying to deal with each case on its own merits. My own judgment, formed after careful examination in many cases, has convinced me of this, and that their sentences were just. . . . A lower court judge may well feel that his careful work on a case is no more than a sigh in a gale.

In a large majority of appeal cases defendants have counsels. A bunch of ten gamblers are fined \$10 each in the lower court. Five have no lawyers and pay their fines and thereby get criminal records. The other five have lawyers upon whose advice an appeal is taken. Then the district attorney is given an option to try the gamblers before a jury, or to take pleas of *nolo* and put the cases on file, the defendants escaping a criminal record. As against this trivial matter, there are cases of rape, robbery, burglary, aggravated assaults, and other serious crimes which must be tried. With a limited opportunity for trial, still further limited by the time that must be given to jail delivery, the district attorney takes the serious cases to try and contents himself with the offered disposition of the gaming cases.

Then the young gamesters go back to their dice, rail at their five companions who now are marked with criminal records, and thumb their noses at the chagrined police.

The above statements apply with equal force to the Boston Municipal Court as well as to the district courts. They point out very clearly the weak link in the judicial system. This puts the judge at a most decided disadvantage, as well as the probation officer. The judge, knowing that the defendant, particularly if he or she is represented by an attorney, is almost sure to appeal from his decision, and that because of the reasons above stated the defendant may never receive any punishment whatsoever, because of a *nolle pros.* or a plea of *nolo* which will result in the case being placed on file by the district attorney, is fairly certain to decide that the lesser of two evils will be either to put the defendant on probation or to mete out a sentence and suspend it, placing the defendant on probation for a period of from three months to two years, with the implied understanding that the defendant will waive his appeal. This procedure results in the placing upon probation of many persons who are not proper subjects for probation. One case particularly was noted of a female pickpocket, who had been arrested thirty-one times previously and had served penitentiary sentences in other states, who was given a suspended sentence and placed on probation for a year and a half. It is obvious that the task of the probation officer is well nigh hopeless in such a case.

A study of the appealed cases over a period of one year substantiates the foregoing quotations from the report of the Judicature Commission. Table 19, in the Appendix, of appealed cases for this period shows very few cases that were actually tried in the Superior Court, the majority being *nolle prossed* or placed on file under conditions which indicate a bargaining between the district attorney and defendant.

As before stated, the court is not at all specialized as to the kind of cases tried. All cases of sex delinquency, however, are brought before it. The laws relating to sex delinquency are,

in Massachusetts, designated "Laws against Chastity." The laws creating offenses of this kind over which the court has jurisdiction are as follows:

*Massachusetts General Laws, 1920, Chapter 272*

Sec. 2. Fraudulently and deceitfully enticing or taking away a woman or girl for prostitution or unlawful sexual intercourse, or aiding or assisting therein. (Three years in jail or \$1000 or both.)

Sec. 4. Age of consent (18) (man only guilty) (Three years in jail or \$1000 or both.)

Sec. 5. Intercourse with idiot. (Same as 4.)

Sec. 6. Owner or keeper of place who permits female to resort there for unlawful sexual intercourse. (Same as 4.)

Sec. 7. Whoever, knowing female to be a prostitute, shall share in proceeds of prostitution. (One year in House of Correction or \$1000 or both.)

Sec. 8. Soliciting for prostitute. (House of Correction, one year, or \$500 or both.)

Sec. 12. Procuring female for house of prostitution. (\$100 or \$500 or three months-two years. Employment office sending girl to house of prostitution. \$50-\$200)

Sec. 13. Detaining or aiding in detaining in house prostitution. (One-two and one-half years in House of Correction or \$100-\$500)

Sec. 14. Adultery. (Two years in jail or \$500)

Sec. 16. Lewd and lascivious cohabitation by man and woman not married to each other or man and woman guilty of open and gross lewdness and lascivious behavior. (Two years in jail or \$300)

Sec. 18. Fornication. (Three months or \$30)

Sec. 24. Keeper disorderly house. (Two years.)

Sec. 25. Restaurant of café proprietor who keeps enclosed booths or stalls. (\$50-\$500 or two months or both.)

Sec. 26. Whoever, for the purpose of immoral solicitation or immoral bargaining shall resort to any café, restaurant, saloon or other place where food or drink is sold or served to be consumed on premises, and whoever shall resort to any such place for the purpose of, in any manner, inducing another person to engage in immoral conduct, and whoever, being in or about such place, shall engage in any such acts. (\$25-\$500 or one year or both.)

Sec. 53. Common night-walkers, both male and female . . . persons who with offensive or disorderly acts or language accost or annoy in public places persons of the opposite sex . . . lewd, wanton, and lascivious persons in speech or behavior . . . idle and disorderly persons . . . those persons who neglect all lawful business and habitually misspend their time by frequenting houses of ill-fame . . . (Reformatory or \$20 or six months in House of Correction.)

Sec. 62. Night-walker, twice before convicted. (House of Correction, two and one-half years.)

Sec. 66. Vagrants. Persons wandering abroad and visiting houses of ill-fame and not giving a good account of themselves. (Reformatory or six months in House of Correction.)

*Chapter 140*

Sec. 26. Lodging-house or innkeeper, who knowingly permits premises to be used for purpose of immoral solicitation, immoral bargaining, or immoral conduct. (\$500-\$1000 or six months—one year or both.)

Sec. 27. Failing to keep proper register; falsely registering name or address of self or other occupant of room. (\$100-\$500 or three months or both.) Or failure to register.

*Chapter 139*

Sec. 4. Every building, part of building, tenement, or place used for prostitution, assignation, or lewdness and every place where such acts occur, is a nuisance.

Sec. 5. Keepers of such a nuisance. (\$100-\$1000 and three months—three years.)

Sec. 20. Whoever knowingly lets premises for purposes of prostitution, assignation or lewdness or knowingly permits premises to be used for such purposes, or after notice of such use omits to eject persons, etc., therefrom. (\$50-\$100 and three months—one year.)

In every one of the foregoing cases, the defendant is entitled to a trial by jury, and a demand for a jury will entitle the defendant to a trial *de novo* in the Superior Court. The nature of the trial in the Municipal Court depends upon the judge who happens to be sitting on the bench at the time. One judge was observed to hold a formal trial, with witnesses testifying from the witness stand. Another judge called the defendant and witnesses to the bench, where the trial could not be heard, even from the lawyers' benches inside the railing. His trials were very informal. In no case was there a State's Attorney to prosecute. Occasionally the prosecution was conducted by an experienced police officer. The judge almost invariably assisted in the direct and cross-examination. No stenographic report of the proceedings is taken. At the time this study was made, the police department was still new, most of the members having served not more than a year, due to the disruption of the department caused by the police strike of the previous year. It was claimed by the superintendent of police and others that the reason for the small number of cases involving sex delinquency was that the new

policemen had not yet become well-enough acquainted with the haunts of the prostitute to make many arrests.<sup>1</sup> Be that as it may, not more than a dozen cases of this nature came before the court in a period of eight days, and only two or three of these cases were actually tried. The case of one street-walker was continued, and another pleaded guilty, with the understanding that the record would show "found guilty." She was placed on probation for a year under a suspended sentence. There was no record against her under the name given, in the probation files, but she appeared to be a hardened prostitute of several years' experience. The others were fornication cases, which appeared to be cases of private immorality rather than prostitution. Some of these were continued, and the others pleaded guilty and were placed on probation.

The court docket for the first six months of 1920 shows the following number of arraignments for sex delinquency:

Idle and disorderly . . . . .	58
Common night-walker . . . . .	24
Violating True Name Law . . . . .	83
Keeping a disorderly house . . . . .	2
Common nuisance, house of ill-fame . . . . .	18
Permitting place to be used for immoral purpose. . . . .	6
Adultery . . . . .	45
Fornication . . . . .	158
Lewd and lascivious cohabitation. . . . .	105
Accosting person opposite sex (mashing) . . . . .	13
Living off earnings of prostitute. . . . .	2

The first two violations are undoubtedly made up of prostitutes, as may be also a part of the next. Those charged with fornication may also include a number of promiscuous persons. A fair estimate of the number of prostitutes passing through the court machinery during this period would probably be about one hundred. It would therefore seem that the study was con-

<sup>1</sup> Because of the possibility that conditions during the first six months might not be representative, this study was made to cover the entire year, divided, however, into half-year periods so that data for the first six months might be comparable with facts gathered in Chicago and Philadelphia for the same time. A comparison, however, of arraignments in the first and second half of the year, compiled from the docket, shows 504 in the former and 531 in the latter.

ducted at a time when conditions were practically normal. Table I, in the Appendix, shows the dispositions of the foregoing cases.

Neither the laws of Massachusetts nor the regulations of the health department provide for the examination or quarantine of persons infected with the venereal diseases. The court is therefore not concerned with the physical condition of defendants as is the case in the other courts studied. Defendants convicted in this court are not finger-printed.

#### ILLUSTRATIVE CASES

The following cases are illustrative:

S., white. Charge—common night-walker, arraigned and case continued at request of defendant's attorney; bail fixed at \$300, furnished immediately, thus preventing probation officers from getting in touch with defendant.

G. and F., white. Charge—lewd and lascivious cohabitation; pleaded guilty; continued one week for sentence because of possibility that they might marry; returned the next day with wedding certificate, and sentence suspended.

B. and B., white. Charge—fornication; case continued week; from story given probation officer, woman was high-school teacher and man was her fiancé; they admitted charge and were placed on probation for six months.

Colored couple. Charge—adultery; pleaded guilty; she was given sentence of three months in common jail and he the same in the House of Correction; they waived their right of appeal, however, and accepted probation for three months. Their lawyer said to them audibly as they left the bench, "Now don't get caught for three months." The inference being that if they did they would have to serve out their sentence.

White couple. Charge—lewd and lascivious cohabitation; pleaded guilty; their history showed that they had lived together for eight years; case continued for ten days for probation officers to investigate practicability of marriage, defendants being released on their own recognizance.

L., white. Charge—idle and disorderly; continued at request of



defendant's attorney; defendant had been arrested in disorderly house, and investigator was informed that the foregoing is the usual charge for such an inmate.

The other cases observed are set forth in the text of the report.

#### PHYSICAL ASPECTS OF THE COURT AND DETENTION FACILITIES

The Second Sessions of the Municipal Court of the City of Boston occupies a large room on the main floor of the Court House at Pemberton Square. On the corridor leading to it are the court-rooms of the First Sessions and the Domestic Relations Division of the Municipal Court. During sessions of these three courts the corridor is congested. The public is freely admitted to the Second Sessions and its numerous long benches are invariably crowded with spectators. A central enclosure directly opposite the judge is reserved for the lawyers appearing in connection with the cases. On the left side of the room are two wooden docks for men and women defendants, respectively, who have been detained in jail awaiting trial. While seated within these docks, the defendants are not visible from the court-room. When one of the defendants is called, he stands up in the dock facing the judge. Bail cases await trial in the court-room. When called they stand in front of the judge, a little to the right, complainants or witnesses a little to the left, and the lawyer within the enclosure directly in front of the judge. Defendants, complainants and witnesses are sworn usually by the court clerk; in his absence, by the judge.

The court-room personnel comprises the judge, clerk, attendant, two men and two women probation officers.

A double row of feebly lighted, wretchedly ventilated cells in the basement of the courthouse constitutes Boston's Detention House for Women. Although the Municipal Court of Boston has jurisdiction only over those persons arrested within central Boston, the House of Detention is used for all women arrested (and not bailed) from the outlying districts of East Boston, South Boston, Charlestown, Roxbury, West Roxbury, Brighton, Chelsea, and Dorchester, after they have been booked at the

local police station. If, on arraignment in court a case is continued, the woman is transferred to the Suffolk County Jail on Charles Street until the date set. Accommodations are in every respect better. Cells in the courthouse comprise three tiers, but only the lowest one is in general use. On one morning when the writer visited the Detention House six arrested women were there—two in one cell, three in another, and one woman in delirium tremens in a third cell. When the probation officer was asked why more women than one were placed in a cell when several cells were unoccupied, she answered, "Oh, the girls like company." The cells, which are equipped with bunks for one or more occupants, are without running water. The bucket system is in use. Shortly after eight on the morning of our visit, an officer removed two women who had been arrested for drunkenness in Charlestown the night before and took them to the Charlestown Court for trial.

At eight o'clock every morning, one of the two women court probation officers interviews at the Detention House those brought in during the night. Twice the writer was permitted to accompany one of these officers in order to observe the procedure in regard to detained women. The probation officer first examined a sheet prepared by the matron, showing name, offense, date of arrest, age, and place of employment of each person brought in during the night. The probation officer transcribed these facts on yellow cards, one for each case. With these cards in hand she proceeded to interrogate each girl, asking her if she had ever been arrested before, something of her family history, whether married, if so, whether living with husband, husband's work and place of business. On completing her rounds the probation officer consults the court card file for the purpose of identifying, if possible, any case with a previous record. Such statements as can be verified within a short time are then turned over to the probation officer in whose district the girl was arrested. When this additional information is available the court probation officer signs a statement in respect to each case to the effect that she has investigated and found facts

therein stated to be true. In addition, she fills out a slip showing docket number of case, name, date placed on probation (if previously a probation case), date of expiration of probation, and date of surrender.<sup>1</sup> This slip, with the matron's statement, is sent to the court clerk.

At trial, the judge has before him the arresting officer's complaint and bail papers (if a bail case), but no social history or record of previous court history.

#### PROBATION

The Probation Department of the Municipal Court of the City of Boston serves the three Criminal Sessions of that court and its court of Domestic Relations. Men's cases are heard in the First Sessions; women's, or men's and women's jointly, in the Second Sessions; and overflow cases from both in the Third Sessions. The Domestic Relations Court, in addition to the usual type of case heard in such courts, has jurisdiction also over bastardy cases and cases of incorrigible and runaway girls between the ages of seventeen and twenty-one. The Department investigates, also, certain cases brought before the Probate Court.

Probation officers are appointed by the chief justice of the Municipal Court of the City of Boston, with the concurrence of the associate justices, and hold office at the pleasure of the court. They are organized as follows:

One administrator, designated Chief Probation Officer.

First deputy, supervising sixteen probation officers—fifteen men and one woman.

Second deputy (a woman) supervising eight women.

Director of the Medical Department, assisted by a woman physician serving part time.

The sixteen probation officers working under the direction of the First Deputy are assigned, briefly, as follows:

Two general supervisors.

Two officers stationed in the court to make preliminary investigation of criminal cases (men) only, one assigned to the First and one to the Second Sessions.

<sup>1</sup> Regarding practice of "surrender," see p. 208.

One investigator of cases brought before the Domestic Relations Court (men). Eight investigators and supervisors of men brought in on a charge of drunkenness.

At present, however, because of the falling off in number of this type of case, these eight men handle those brought in on other charges as well.

One officer who prepares and presents cases in court (men's). This officer, who is an attorney, assists any probationer in need of legal aid. His services may be required in cases of ejection, industrial accident, extortion, divorce suit, or other legal difficulty—civil or criminal.

One officer who collects fines or money paid in restitution.

A woman probation officer who handles women in agreement cases, looks after the interests of mothers and children in separation cases, investigates complainant's story in bastardy cases, hears and seeks to adjust cases of incorrigible and runaway girls, without court action, and supervises such girls if, in the event of court action, they are placed upon probation.

The eight women serving under the direction of the Second Deputy are assigned as follows:

Two officers stationed in the court to interview all arrested women before trial.

One officer to find employment for women.

Five investigators and supervisors.

The chief justice of the Municipal Court stated to the writer that he has aimed, in selecting probation officers, to appoint persons who have had special training which would be of value in their work, in addition to the general knowledge requisite for the proper discharge of their duties. Thus, three men and three women officers are graduates of a law school and four of this number are members of the bar. Their professional training enables them to render legal assistance to probationers when necessary. In the same way, a physician, who is also a psychiatrist, was added to the staff of the probation department when the need of examining certain defendants mentally became apparent.

At least seven distinct lines of activity are carried on by the Probation Department:

1. Investigation of arrested persons.
2. Adjusting domestic difficulties:
  - (a) Marital.
  - (b) Incorrigible and runaway children.
3. Instituting proceedings to establish paternity in bastardy cases.

4. Investigation of Probate Court cases:
  - (a) Separation.
  - (b) Guardianship.
  - (c) Petition.
5. Supervision and aid of persons placed on probation.
  - (a) Social.
  - (b) Economic.
  - (c) Medical.
  - (d) Legal.
6. Medical service—physical and mental examination of selected persons.
7. Writing and filing of court and social history of each case brought to trial.

As this study is concerned chiefly with methods of handling sex offenders in morals courts, only certain of the items enumerated will be discussed in detail.

*Investigation of arrested women:* This function of the Probation Department has been fully described in the section relating to the Detention House, pages 202-203.

*Supervision and aid of persons placed on probation:* A woman convicted of an offense against chastity may be placed upon probation, with or without a suspended sentence, but always for a fixed period of time, which may be extended,<sup>1</sup> however, at the discretion of the Probation Department.

If placed upon probation under a suspended sentence she may appeal only at the time sentence is imposed, for if she should violate the conditions of probation, the suspension of sentence could be revoked and the sentence executed without power of appeal. Of 56 women receiving this type of probation during the first six months of 1920, 15 were re-arrested for violation of probation, but the suspended sentence was imposed in the case of only six.<sup>2</sup>

If the probation is accepted without appeal, it may be of two types, "inside" and "outside." Inside probation is applied to those girls who, in the judgment of the Probation Department,

<sup>1</sup>For extensions of probation, see Table 14, column 4, and Table 15 in the Appendix.

<sup>2</sup>Of the remaining nine, one was dismissed from probation and the probation period of the other eight extended, in two instances, twice.

need closer supervision than can be exercised by a single probation officer when the girl is at large. Two private institutions are used for this purpose, the House of Good Shepherd (Catholic) and Welcome House. The court cannot commit girls to these homes, but their agreement to spend a specified time (varying from one month to one year) within them is made a condition of their probation. The girl signs a card reading as follows:

Boston.....19.....

I, .....  
do hereby agree to go to .....  
.....  
to remain for.....  
or until further order from court. ....  
.....  
Witness .....

The reverse of the card states:

Municipal Court, Boston.....19.....

.....  
was placed on probation until.....19....  
with the permission of Court at her own request to  
go to (House of Good Shepherd or Welcome House).  
Probation Officer.

A girl placed upon inside probation cannot be released without the consent of the judge who sentences her. Of 228 girls placed upon probation in 1920, 70<sup>1</sup> were "committed" to private institutions in the sense indicated in the foregoing.

A girl to whom outside probation is applied, is assigned to the probation officer in whose district she resides. This officer is said to study her special needs in order to meet them as far as may be possible. She is said to visit her from time to time (at least once a month), to observe her manner of living, to learn if she is regularly employed and where, and to study her habits, recreation, etc. Probationers are not permitted to call at the probation office until the day their probation expires, unless in special need of advice or assistance. Girls who are

<sup>1</sup> Figures supplied by Chief Probation Officer.

visited by probation officers are not required to write except to notify of change of address. Each girl is given, when placed upon probation, a printed card reading in part as follows:

To .....  
Believing that you will profit by the leniency of the Court, you are placed on probation until nine o'clock .....19.... on which date you must appear or you will be defaulted and the Probation Officer will report to the Court about your case . . .

On Wednesday morning of every week, girls whose terms of probation expire on that day, report at the office of the second deputy probation officer for a review and final disposition of their cases. A list of these girls is given the second deputy, together with the report of each girl's probation officer, including the officer's recommendation on the case. A separate folder is provided for each probationer which contains all data relative to her case. With this information in hand, the deputy then interviews each girl, dismissing or continuing the case as the circumstances seem to require. Either course may be followed without referring the case to court. For disposition of women placed upon probation in 1920, see Table 14 in the Appendix. If probation is extended, the girl signs a written consent. The Commissioner of Probation estimates that about 25 per cent of all cases placed on probation from the Municipal Court during the year are extended. His estimate is borne out by Table 15, showing 58 extensions out of 205 cases placed on probation during the first six months of 1920. In determining proper disposition of the case, the deputy is said to take into consideration the following points, among others: probation officer's recommendations; girl's work record; statement of police officers to whom girl is known; reports of relatives or friends.

If the girl fails to report on the Wednesday specified, she is "defaulted" and then notified that she must call. "Default" as used by the Probation Department indicates failure to appear at expiration of probation period. "Violation of Probation" refers to the violation of any condition imposed by the judge

or Probation Department. It may refer also to any misconduct on part of probationer causing arrest.

If a probationer is brought in on a new charge before expiration of probation, she may or may not be arraigned before the judge. If she is arraigned in court on the new charge, the probation officer is said to "surrender" her, and the clerk, instead of specifying the actual offense committed, merely writes "surrendered" on the docket. When her case is heard there are two charges against her so far as the Probation Department is concerned. Usually, in the event of a new charge being brought, the probation officer awaits conviction on the new charge before surrendering her on the old. If surrendered, the judge makes disposition according to the history and needs of the case, and recommendation of the probation officer. Usually he files the less serious charge and sentences on the graver one. If second offense is same as first, usually the new charge is filed and sentence made on the first charge. Probation may be extended or a more severe penalty inflicted. The girl is invariably surrendered for repetition of offense or commitment of an analogous offense. Practice varies widely, however, according to individual cases. Probation Department records show 43 women's cases surrendered during the first six months of 1920. Of these, 36 were again placed upon probation and seven sentenced to a penal institution. During the entire year, 88 women's cases were surrendered, of whom 64 again received probation and 19, a sentence to a penal institution. Five were dismissed or placed on file. Only 16 per cent in one instance and 13 per cent in the other received a more severe penalty for violating their probation, and the record does not state in how many instances appeal from the severer penalty was made. Probation officers in Massachusetts have the usual powers of arrest within the state.

Each woman probation officer carries about 125 cases at one time. Each man probation officer carries nearly 200 cases at one time.

In the year 1920, 33.4 per cent of the 463 men's cases arraigned in this court (for sex offenses) and 39.2 per cent of the 397 con-



victed, were placed on probation. The percentage of women's cases so disposed of runs higher, 39.8 per cent of the 572 arraigned and 50.5 per cent of the 451 convicted having received probation.<sup>1</sup>

Of the 155 men's cases placed upon probation in 1920, 75 (48.3 per cent) were dismissed from probation, presumably as satisfactory, at the expiration of their term. Of the 228 women probationers, 70 (30.7 per cent) were so dismissed.<sup>2</sup> Six men and 25 women were surrendered.<sup>3</sup> Thirty-six men (23.2 per cent) and 65 women (28.5 per cent) defaulted, i.e., failed to report at the probation office as required on date of expiration of probation. Probation was extended in the case of 27 men and 50 women.

Tables 22 through 26 in the Appendix show the results of our study of 50 cases placed upon probation during the year 1920. Through the courtesy of the Chief Probation Officer, we were given free access to records and allowed to make transcripts of case histories. In order to avoid selection of cases and at the same time not to limit the study to any special season of the year, four groups of cases were chosen as follows: The first 15 cases placed upon probation in 1920; the last ten in June; the first 15 in July; and the last ten in December. These 50 cases constitute 21.9 per cent of the 228 women's cases placed upon probation in 1920, and should prove fairly representative, therefore, of the work of the department.

Examining Table 22, a study of the social histories in relation to offense committed—we find that 38 were convicted for offense involving private immorality: adultery, fornication, lewd and lascivious cohabitation; and the remaining twelve for commercialized forms of prostitution: keeping houses of ill-fame, violating the True Name Law, common night-walker. Forty-four of the probationers are white and six, colored. Thirty are American born. Six, at time of arrest, were between 18 and 19

<sup>1</sup> For all dispositions see Tables 1 and 5, in the Appendix.

<sup>2</sup> For dispositions at expiration of probation in relation to offense, see Table 14, in the Appendix.

<sup>3</sup> This term explained on p. 208.

years of age; 17, between 20 and 24; eight, between 25 and 20; 11, between 30 and 40; and two, over 45. Fifteen claim they are single and 28 that they are married; six that they are widowed; civil state of one is not given. Manner of living at time of arrest is not stated with respect to six. Five are said to have been living with their parents; five, with husband; one, with relative; eight, keeping house; six, in hotel or rooming house; and nine, with lover. Twenty-eight had no children; 15 had from one to three legitimate children; and five had each one illegitimate child; legitimacy of children of two probationers was not established. The Boston records contain no reference to age or grade of leaving school. Statements regarding religion are too inadequate to tabulate.

The number of arraignments prior and subsequent to the one in 1920 when the 50 women were placed on probation is indicated in Table 23. It must be borne in mind, however, that these represent only *known* arraignments. For in the absence of a finger-printing system, court and probation officers have only their memories to rely upon when the girl gives a new alias. The Probation Department claims that 36 of these probationers were first offenders; six had been previously arraigned from one to three times; one, four times; two, five times; one, 10; one, 13; one, 14; one, 17, and one 22 times. Forty are said to have had no subsequent court record up to October 1, 1921. Four have one subsequent arraignment; three, two; one, three; one, four; and one five subsequent arraignments. A separate compilation shows that five probationers have had both previous and subsequent arraignments: one had one previous and one subsequent; one, four previous and one subsequent; one, thirteen previous and four subsequent; one, ten previous and five subsequent; and one, twenty-two previous and three subsequent arraignments. The three latter were 43, 44, and 33 years old, respectively. It is noteworthy that these five women who, with a single exception, were known to be repeated offenders and past an age where it was probable that they could benefit by probation were nevertheless placed on probation under a suspended

sentence. And although all were surrendered within periods varying from six weeks to four months, in no instance was the suspended sentence imposed. Neither is it recorded that any of these women was visited in her home. An officer called upon one at her place of employment. Four were given a physical examination. The one, age 44, with a record of 13 previous arrests, was found to be infected with syphilis and gonorrhea.

As no routine physical or mental examination of all convicted persons is made, information regarding the condition of these 50 probationers is necessarily incomplete. The records show that nineteen were examined physically, two of whom were found to be infected with gonorrhea and one with gonorrhea and syphilis. Five probationers, three of whom were single, one married and one a widow, were pregnant. The records show but one mental examination, the result of which is reported as follows: "Drug user; girl not psychotic or feeble-minded but has superficial and inferior character make-up."

From Tables 24 and 25, showing respectively, the number of calls made by officers at the girls' homes and the number of times probationers reported by letter, it will be seen that the officers called at the homes of 29 probationers 106 times, and that 18 girls reported by letter 57 times although this is not required unless girl changes her address. Examining the tables more closely, we find that the homes of 21 probationers were not visited, but of this number one was referred to another department of the Court, four returned to their home towns and four were placed in a private institution on "inside" probation. The records of two probationers could not be found.

Of the 29 homes visited, only 11 were called upon more than three times, although 27 were on probation from four to 12 months. Table 24 correlates number of calls made with the number of times probationer, relative, or housekeeper was found at home. In 11 of the 29 homes visited, the probationer was not seen. Only thirteen girls were seen by the officer more than once, in their homes. It appears, therefore, from Table 24 that only 18 girls were seen by the officer in their homes. Ten girls

were called upon once by the officer at their place of employment; and two girls, twice. The records show that 20 probationers called from one to six times at the Probation Department before the expiration of their period. With the exception of five cases, probation was for six months; one was for three weeks; one, for seven months; and three, for one year. Four probationers received "inside" probation at the House of Good Shepherd. The six probationers who were surrendered before the expiration of their term were again placed on probation by the court, three being sent to the House of Good Shepherd on "inside" probation.

In order to make the Boston records comparable with those of Philadelphia, the Probation Department was asked to advise us of the progress of each case up to October 1, 1921. On that day the records of the 50 girls were as follows:

Dismissed from probation and not re-arrested, so far as known....	24
Still on probation and not re-arrested, so far as known.....	3
Defaulted and warrants issued—probationer not found.....	13
Re-arrested once, so far as known.....	5
Re-arrested twice, so far as known.....	2
Re-arrested three times, so far as known.....	2
Re-arrested four times, so far as known.....	1
	<hr/>
	50

The status of the ten probationers who were re-arrested was as follows on October 1, 1921:

Dismissed from probation.....	1
Still on probation.....	2
Committed to State Farm on August 1, 1921—no further information .....	1
Defaulted and warrant issued—probationer not found.....	6
	<hr/>
	10

#### MEDICAL DEPARTMENT

The Medical Department, theoretically a part of the Probation Department, is said by the chief justice of the Municipal Court to be the only full-time, permanent medical department attached to a court in the State of Massachusetts. The chief

justice views the establishment of a medical department in the light of pioneer work and he believes that emphasis should be placed upon mental rather than upon physical examination; that education of the public and the court officials as to the value of such work by means of printed literature and lectures should constitute a definite function of the department. To this end, he said, numerous pamphlets have been prepared by the present medical director and by his predecessor.

In regard to the physical examination of women, the chief justice believes that the practice should be followed only to a limited extent; that in no case should compulsion be employed. It is his belief that any attempt at routine compulsory examination even of convicted women would arouse strenuous opposition. While the value of mental examination is stressed by the chief justice and by the medical director, no routine mental examination of all cases arraigned in court is made. Certain cases are referred by the judge or probation officer, although no precise basis for the selection was apparent.

The medical director stated to the writer that he interviews as many defendants as possible in the Domestic Relations Division and Criminal Sessions of the Municipal Court, besides examining more thoroughly those cases who seem to be distinctly abnormal mentally. He holds that most delinquents (sexual offenders included) are constitutionally inferior, whether or not their inferiority manifests itself in character defect only, or in low intelligence. He believes that from the point of view of behavior the present tendency is to lay too much stress on feeble-mindedness as such, if by that is meant low intelligence, measured by psychological tests, and that one of the reasons why feeble-mindedness is so frequent among delinquents studied is that the more intelligent are more likely to escape arrest. He stated that less than six commitments a year of feeble-minded persons found in the Second Sessions Court are made.

Examinations for venereal disease in 1920 numbered 284 men and women. Of these, 45 (15.4 per cent) showed positive Wassermann reactions and 10 (3.5 per cent) showed smears positive

for the gonococcus. The director did not state how many of these cases were men and how many women, but added that "very few" men were examined.

#### PENAL INSTITUTIONS

Convicted sex offenders may be committed by the Municipal Court to the following institutions: Common Jail, House of Corrections, State Farm, Reformatory for Women. Commitments for the first six months of 1920 and for the entire year were as follows:

	<i>Jan. to June, 1920</i>		<i>Year of 1920</i>	
	Men	Women	Men	Women
Common Jail .....	5	33	11	73
House of Correction.....	14	17	41	18
State Farm .....	..	1	..	1
Reformatory for Women.....	..	8	..	12
	<hr/> 19	<hr/> 59	<hr/> 52	<hr/> 104

Of the 19 men sentenced to a penal institution in the first six months of 1920, 17 appealed; and of the 59 women so sentenced, 58 appealed. In the year 1920, 46 men and 101 women appealed their cases. In other words, during the first six months of 1920, 96.1 per cent of those sentenced to a term in a penal institution appealed; and for the year, 94.2 per cent appealed. Following these appeals through to the Superior Court it was found that sentence to a penal institution was meted out to but one man and two women in the six months' period<sup>1</sup> and to two men and five women in the whole year.<sup>2</sup> No woman was sentenced in the Superior Court to the State Farm or to the Reformatory for Women.

#### RECORDS AND STATISTICS

The Municipal Court of the city of Boston has published but one annual report since its inception. This was issued in 1915. Statistics of arrests and criminal prosecutions of men and women

<sup>1</sup> See Table 17, in Appendix.

<sup>2</sup> See Table 19, in Appendix.

are contained in the Annual Reports of the Bureau of Prisons of Massachusetts. Only broad classifications are employed, however: offenses against the person; offenses against property; offenses against public order; drunkenness and "other" offenses. In order to secure information relating to sex offenses only, it was necessary to compile our data direct from the docket, where the particular offense is specified in each case. The docket of the Municipal Court, Second Sessions, records the number of the case, name of defendant, offense, plea, date of arraignment number of continuances, amount of bail, name of person putting up bail, judgment, disposition, length of term (if imprisoned), whether case appealed, amount of bail required by the Superior Court, and whether secured. Each reappearance in court cases on probation is recorded under the original docket number, with nature of disposition. Where two defendants are arraigned on the same charge, as frequently occurs in the case of a man and woman arrested together, the court record with respect to each is given under one number in such a way that it is often difficult to determine which defendant is referred to, as the name is not always written opposite each item of information.

The Probation Department keeps a monthly record, showing the number of cases placed on probation, the number of surrenders and defaults, as well as other information. The surrenders and defaults may be and usually are of cases placed on probation at some previous time. In this way, the department can furnish no figures showing, in respect to the number placed on probation within a given period, how many were dismissed, how many defaulted or were surrendered, etc. In other words, it is not in a position to measure accurately, its progress for a given period. Such information could be compiled from the court docket, as was done by the writer in connection with this study, but it is not the practice of the department to make such compilations. Each probationer's case is filed in a separate folder containing a court card showing name, aliases (if any), docket and file numbers, birthplace, occupation, and court history; a blue sheet recording the results of the probation officer's investigation and summary of

trial, a probation card with write-up of case, record of calls made, action taken, summary of correspondence, etc. Reports from the Medical Department are filed in probationer's folder. Folders are filed numerically in wooden cabinets.

Facts compiled from the docket have been summarized in Tables 1 through 21 in two periods, one covering the first six months of 1920 and one, the entire year. The reason for this is given on page 199, footnote 1. Data compiled from probation and court records of 50 probationers are set forth in Tables 22 through 26.

Discussing these tables ad seriatim, we find in Table 1 that 504 sex offenders (218 men and 286 women) were arraigned in the Second Sessions during the first six months of 1920. Of this number it will be noted that 190 men, or 87.1 per cent, and 231 women, or 80.7 per cent, were convicted, making total convictions of 421, or 83.3 per cent. This relatively high percentage of convictions is invalidated by the numerous appeals from serious penalties. Twenty-three men and 63 women, 12.6 per cent and 27.2 per cent respectively, of those convicted carried their cases to the Superior Court. When it is remembered that convictions include those placed on file and those placed on probation, from which sentences appeals naturally are not taken, it will be seen that the real significance of the situation is not revealed. A sounder basis for judgment is offered by Table 2, showing appeals in relation to disposition. Of those fined, 16 per cent appealed; *of those committed to penal institutions, 97 per cent appealed.* Their fate in the higher court will be discussed farther on in connection with Tables 17 and 18.

Forty-five men and 13 women were fined during the six-months period, in amounts ranging from \$5 to \$500, according to Table 3. The usual sum was found to be \$10, 33 men and 10 women being fined this amount. Ten persons appealed from these fines and all escaped paying them by having their cases nolle prossed or placed on file in the district attorney's office.<sup>1</sup> Table 4 shows the length of the sentences to the House of Cor-

<sup>1</sup> See Table 18, in the Appendix.



rection and common jail. Only three out of 19 men and four out of 50 women received sentences to these institutions of more than six months; 12 men and 35 women were given terms of three months or less. Yet 17 of the men and all of the women appealed. All but three (two men and one woman) escaped a penal sentence in the Superior Court; eight were fined; the others defaulted or were nolle prossed or placed on file by the district attorney, with the exception of two pending cases and three whose disposition was not recorded. The nine women committed by the Municipal Court to the State Farm and State Reformatory for Women carried their cases to the higher court where two defaulted on the date set for their trial; four were nolle prossed or filed by the district attorney; and three were placed on probation.

Table 6, like Table 1, deals with the disposition of cases of sex offenders. The period covered, however, is for the entire year of 1920. It will be noted that the percentage of convictions and appeals from sentences varies but slightly from the corresponding percentage for the six-month period. Of the 147 men and women who appealed from penal sentences, all but seven escaped such a sentence in the Superior Court. Of the remainder, only 34 received a sentence of any sort, 14 being fined and 20 placed on probation.<sup>1</sup>

From Table 7, showing pleas in relation to offense during the first six months of 1920, it will be seen that 178 pleaded guilty on arraignment and 297, not guilty. Of the latter, 245, or 58.1 per cent, were found guilty.

That continuing or adjourning cases is a somewhat common

<sup>1</sup>In order to learn something of the effects of probation in the Superior Court, a study was made of the first ten cases placed upon probation by the court, in 1920. It was found that on July 1, 1921, one was reporting by letter from out of town; one, living in Boston, was writing and calling regularly; one, needing medical treatment, was not reporting; one had been re-arrested once; and the whereabouts of six were unknown. Four of these cases had a previous court history in the Municipal Court, not counting the conviction which was appealed. Two were convicted twice; one, four times; one, five times in the Municipal Court and once in the Superior Court, for assault and battery with intent to kill.

practice in Boston is indicated by Table 8, which shows that 74 out of 100 cases were continued from one two six times. Only 16 of these cases, however, were continued more than twice. No case was extended beyond 33 days, as evidenced by Table 9. Of the 74 cases, 45 were disposed of within a week.

Tables 11, 12, and 13 deal with Bail Forfeitures in the Municipal Court. The docket records 57 such forfeitures in the year 1920 (Table 12), 13 of cash bail in amounts of \$20, \$25, and \$50; 33 of real estate where surety was pledged in amounts ranging from \$100 to \$500; and eight of personal recognizance bonds. Recovery in the case of real estate forfeitures was sought in 32 instances. Following these cases in which bail was estreated through to the Superior Court, where such suits are heard, it was found that suit was discontinued in 14 cases in payment of trifling sums running from \$20 to \$35. The other 18 cases were still pending on July 1, 1921. In no case was the amount of the bond collected in the Superior Court.

Table 14 shows disposition of men and women probationers, placed on probation in 1920, at the expiration of their terms. This has been discussed on page 209 in the section dealing with probation. Table 15, dealing with extensions on probation, is discussed on page 207. Table 16 sets forth the nature of judicial assignments.

Table 17 shows that out of a total of 86 sex cases appealed to the Superior Court from January 1 to June 30, 1920, apparently not more than 22 ultimately came to trial. It must be clearly understood that convictions had already been had in the Municipal Court in the whole 86 cases. Some way was found, however, to defeat justice in the remaining 58, or 74 per cent of the total. This was accomplished in various ways, as shown by Table 18: five defaulted; four were unknown; two were still pending; the balance, 53, or 61 per cent of the total, were disposed of by some action of the district attorney, either by nolle prossing or placing on file.

The same ratio for the twelve-months period of 1920 holds good as that of the six-months period. (Table 19, Appendix).

Out of a total of 167 appealed cases, only 46, or 27 per cent, were disposed of by the court as a possible result of a trial (whether these were actually tried or entered pleas, does not appear). Two, given as "Discharged," are not included in the 27 per cent inasmuch as nothing appeared on the docket to indicate whether the discharge was granted because of a legal technicality or as a result of a trial, or for failure to prosecute, etc. Nine defaulted, 11 are marked "Unknown," and five are still pending. This leaves 94, or 56 per cent, which were disposed of via the district attorney's office-route. If the lower court were correct in its judgment of conviction, 121 or 72 per cent defeated justice by the simple expedient of demanding a trial de novo.

Tables 18 and 20, in the Appendix, illustrate to what extent the dispositions of the court below were overturned by this means. These tables further indicate the futility of establishing a specialized branch in the Boston Municipal Court, until the fundamental question of the trial de novo has been settled.

It will be seen in Tables 21 that 50 per cent of the 58 men who appealed their cases in 1920, and 76 per cent of the 109 women, were out on bail while awaiting disposition at the hands of the district attorney in the Superior Court.

Tables 22 through 26 have been fully discussed in the section on probation, pages 209-212.

Many references have been made in this report to the means possible to defeat justice by resorting to the trial de novo. The innocent and unoffending-appearing title of "appeal" is given to this procedure in the official records. The procedure is not an appeal as that term is commonly understood. The decision of the lower court is not reviewed by a higher court, as is done in the case of an appeal, in the commonly accepted usage of that term. The only formality required is the giving of notice within the statutory period and the filing of a bond. Should the case ultimately come to trial in the Superior Court, a new trial would be had without any reference whatsoever to what transpired in the lower court. Some interesting deductions may be made from Table 1, which give the percentage of the appeals

to those convicted in the lower court. This shows that the persons who are taking the most advantage of this loophole in the machinery of justice, are those engaged in commercialized prostitution—a few figures will illustrate. Of the keepers of houses of ill-fame (nuisance), 57.1 per cent of the females, and 66.6 per cent of the males, appealed. Of the persons permitting premises to be used for immoral purposes, 100 per cent appealed. Of the common night-walkers, 73.6 per cent appealed. Of the idle and disorderly (prostitutes), 51.5 per cent appealed. Of those deriving support from the earnings of prostitutes (pimps), 100 per cent appealed.

However, of those convicted of offenses involving private immorality, such as fornication, adultery, and lewd and lascivious cohabitation, only a small proportion appealed. Inasmuch as many more females than males appealed, in the case of fornication and adultery, it might be inferred that many of those who did appeal were prostitutes who had been apprehended under these charges. Those identified with commercialized prostitution are very loath to accept probation. They regard any kind of supervision as an interference with their business. They therefore seldom bargain with the court and agree to accept a suspended sentence with probation as the price of waiving their rights to appeal. Rather, they take chances on the trial *de novo*, as they can always make bond. Their chances for ultimate freedom by this means are three to one. Even if they should ultimately lose out, and are really tried and convicted in the Superior Court, they still have a chance of being placed on probation. That many of them are, is indicated in Tables 17 and 18 in the Appendix. Practically the same ratio holds for the year period, as is shown in Tables 19 and 20.

It will be noted that the percentage of those convicted runs very high (Tables 1 and 5, Appendix). This heading does not differentiate between those found guilty. It was noted by Mr. Worthington in the trials observed that frequently defendants represented by counsel asked that the record show that they had

been found guilty even when they pleaded guilty.<sup>1</sup> This was no doubt done to preserve their right to appeal, in case that course should later be determined upon. (Whether the size of defendant's pocket-book had any influence upon the subsequent decision to appeal was not ascertainable.)

Of the dispositions, it will be noted that probation, either straight or suspended sentence, predominates. This is largely due to the bargaining to prevent appeal, previously referred to. Many defendants are thus thrust upon the probation officer, with little reference as to whether or not that person may benefit by probation. Such a practice must render the task of the probation officer nearly hopeless. Very few women are sent to the state reformatory, as indicated both by the six-months and twelve-months tables. There ought to be much the same ratio of defendants who should be amenable to reform, as those who are amenable to probation; therefore, if defendants who are placed on probation had received a scientific disposition of their cases, there should have also been a large number committed to reformatories. The great difference between the figures for those committed to the reformatories and those placed on probation indicates that these sentences must have been rendered without much reference to the kind of treatment the individual case demanded.

<sup>1</sup> For pleas in relation to offense and conviction, see Table 7, Appendix.

TABLE 1. DISPOSITION OF CASES OF SEX OFFENDERS ARRAIGNED IN  
JANUARY 1 TO

OFFENSE		TOTAL ARRAIGNED	DEFAULTED <sup>3</sup>	JURISDICTION DECLINED	DISMISSED FOR WANT OF PROSECUTION	DISCHARGED	PLACED ON FILE <sup>3</sup>		FINED <sup>4</sup>
Adultery	M	25	...	1	...	...	3	...	...
	F	20	...	...	...	...	...	...	...
Fornication	M	77	2	...	...	2	8	26	...
	F	81	8	...	...	3	9	10	...
Lewd and lascivious co-habitation	M	46	2	...	1	7	6	...	...
	F	49	2	...	1	5	5	...	...
Nuisance—house of ill-fame	M	8	...	...	...	2	...	2	...
	F	8	...	...	...	1	...	...	...
House of ill-fame	M	1	...	...	...	1	...	...	...
	F	1	...	...	...	...	...	...	...
Disorderly house	M	...	1	...	...	...	1	...	...
	F	2	...	...	...	...	...	...	...
Permitting premises to be used for immoral purposes	M	4	...	...	...	2	...	2	...
	F	2	...	...	...	1	...	...	...
Violating True Name Law	M	43	1	...	...	2	20	16	...
	F	40	...	...	...	2	18	2	...
Common night walker	M	...	2	...	...	...	1	...	...
	F	24	...	...	...	3	...	...	...
Idle and disorderly	M	...	4	2	1	18	4	1	...
	F	58	...	...	...	...	...	...	...
Accosting and annoying person of opposite sex	M	13	...	...	...	4	4	...	...
	F	...	...	...	...	...	...	...	...
Deriving support from the earnings of a prostitute	M	1	...	...	...	...	...	...	...
	F	1	...	...	...	...	...	...	...
TOTAL	M	218	5	1	1	20	41	46	...
	F	286	17	2	2	33	38	13	...
GRAND TOTAL		504	22	3	3	53	79	59	...

<sup>1</sup> Compiled from docket of Municipal Court of the City of Boston, Second Sessions, 1920. This table is discussed on pp. 216, 219-221.

<sup>2</sup> For amount of bail forfeitures, see Table 11.

<sup>3</sup> These defendants either plead guilty or were found guilty but no sentence was imposed.

<sup>4</sup> For amount of fine see Table 3.

THE MUNICIPAL COURT OF THE CITY OF BOSTON, SECOND SESSIONS,  
JUNE 30, 1920<sup>1</sup>

CONVICTED						SUMMARY OF CONVICTIONS AND APPEALS				
PROBATION		COMMITTED TO PENAL INSTITUTIONS				UN- KNOWN	TOTAL CONVICTED	PER CENT CONVICTED	TOTAL APPEALED <sup>7</sup>	PER CENT APPEALED OF THOSE CONVICTED
Straight	Suspended Sen- tence	Common Jail <sup>2</sup>	House of Cor- rection <sup>2</sup>	State Farm <sup>2</sup>	Reformatory for Women <sup>2</sup>					
5 5	13 11	1 2	1 1	...	...	1 1	23 19	92. 95.	2 3	8.6 15.7
23 24	11 13	2 7	3 6	...	...	...	73 70	94.8 86.4	5 15	6.8 21.4
13 20	12 10	1 3	4 1	...	...	...	36 41	78.2 83.6	5 6	13.8 14.6
1 ...	... 3	... 3	3 1	...	...	...	6 7	75. 87.5	4 4	66.6 57.1
...	... 1	...	...	...	...	...	... 1	... 100.	...	...
...	...	...	...	...	...	...	... 1	... 50.	...	...
...	... 1	...	...	...	...	...	2 1	50. 50.	2 ...	100. ...
3 11	1 6	...	... 1	...	...	...	40 38	93. 95.	2 3	5. 7.8
... 1	... 3	... 10	... ...	... 1	... 3	...	... 19	... 79.1	... 14	... 73.6
... 4	... 8	... 7	... 7	...	... 2	...	... 33	... 56.8	... 17	... 51.5
1 ...	1 ...	1 ...	2 ...	...	...	...	9 ...	69.2 ...	2 ...	22.2 ...
...	...	... 1	1 ...	...	...	...	1 1	100. 100.	1 1	100. 100.
46 65	38 56	5 33	14 17	... 1	... 8	1 1	190 231	87.1 80.7	23 63	12.6 27.2
111	94	38	31	1	8	2	421	83.3	86	20.4

<sup>1</sup> For length of term see Table 4.<sup>2</sup> Sentence indeterminate.<sup>7</sup> For comparison of convictions and appeals in relation to offense, see Table 2. For disposition of appealed cases in Superior Court, see Table 17. For correlation of disposition in Municipal Court and Superior Court, see Table 18.

TABLE 2. CONVICTIONS AND APPEALS IN RELATION TO OFFENSES AND CITY OF BOSTON, JANUARY

OFFENSE		TOTAL		PLACED ON FILE		FINED	
		Convicted	Appealed <sup>1</sup>	Convicted	Appealed	Convicted	Appealed
Adultery	M F	23 19	2 3	3 ...	... ...	... ...	...
Fornication	M F	73 70	5 15	8 9	... ...	26 10	1 1
Lewd and lascivious cohabitation	M F	36 41	5 6	6 5	... ...	... ...	...
Nuisance—house of ill-fame	M F	6 7	4 4	... ...	... ...	2 ...	...
House of ill-fame	M F	... 1	... ...	... ...	... ...	... ...	...
Disorderly house	M F	... 1	... ...	... 1	... ...	... ...	...
Permitting premises to be used for immoral purposes	M F	2 1	2 ...	... ...	... ...	2 ...	2 ...
Violating True Name Law	M F	40 38	2 3	20 18	... ...	16 2	2 2
Common night-walker	M F	... 19	... 14	... 1	... ...	... ...	...
Idle and disorderly	M F	... 33	... 17	... 4	... ...	... 1	... 1
Accosting and annoying person of opposite sex	M F	9 ...	2 ...	4 ...	... ...	... ...	...
Deriving support from the earnings of a prostitute	M F	1 1	1 1	... ...	... ...	... ...	...
TOTAL	M F	190 231	23 63	41 38	... ...	46 13	5 4
GRAND TOTAL		421	86	79	...	59	9

<sup>1</sup> Compiled from docket of Municipal Court of the City of Boston, Second Sessions, 1920. For discussion of this table see p. 216.



DISPOSITION OF CASES ARRAIGNED IN THE MUNICIPAL COURT OF THE  
1 TO JUNE 30, 1920<sup>1</sup>

PROBATION				COMMON JAIL		HOUSE OF CORRECTION		STATE FARM		REFORMATORY FOR WOMEN		PERCENTAGES	
Straight		Suspended Sentence											
Convicted	Appealed	Convicted	Appealed	Convicted	Appealed	Convicted	Appealed	Convicted	Appealed	Convicted	Appealed	Convicted (Of those arraigned)	Appealed (Of those convicted)
5 5	...	13 11	...	1 2	1 2	1 1	1 1	...	...	...	...	92. 95.	8.6 15.7
23 24	...	11 13	...	2 7	1 7	3 6	3 6	...	...	1 1	1 1	94.8 86.4	6.8 21.4
13 20	...	12 10	...	1 3	1 3	4 1	4 1	...	...	2 2	2 2	78.2 83.6	13.8 14.6
1 ...	...	3 ...	...	3 ...	3 ...	3 1	3 1	...	...	...	...	75. 87.5	66.6 57.1
...	...	1 ...	...	...	...	...	...	...	...	...	...	100.	...
...	...	...	...	...	...	...	...	...	...	...	...	50.	...
...	...	1 ...	...	...	...	...	...	...	...	...	...	50. 50.	100. ...
3 11	...	1 6	...	...	...	1 ...	1 ...	...	...	...	...	93. 95.	5. 7.8
1 ...	...	3 ...	...	10 ...	10 ...	...	...	1 ...	1 ...	3 ...	3 ...	79.1	73.6
4 ...	...	8 ...	...	7 ...	7 ...	7 ...	7 ...	...	...	2 ...	2 ...	56.8	51.5
1 ...	...	1 ...	...	1 ...	...	2 ...	2 ...	...	...	...	...	69.2	22.2
...	...	...	...	1 ...	1 ...	1 ...	1 ...	...	...	...	...	100. 100.	100. 100.
46 65	...	38 56	...	5 33	3 33	14 17	14 17	1 ...	1 ...	8 ...	8 ...	87.1 80.7	12.6 27.2
111	...	94	...	38	36	31	31	1	1	8	8	83.3	20.4

<sup>1</sup> For disposition of appealed cases in Superior Court, see Table 17. For correlation of disposition in Municipal Court and Superior Court, see Table 18.

TABLE 3. AMOUNT OF FINES IMPOSED IN CASES OF SEX OFFENDERS  
ARRAIGNED IN THE MUNICIPAL COURT OF THE CITY OF BOSTON,  
SECOND SESSIONS, JANUARY 1 TO JUNE 30, 1920<sup>1</sup>

OFFENSE		TOTAL NUMBER OF CASES	AMOUNT OF FINES				
			\$5	\$10	\$20	\$100	\$500
Fornication	M	26	4	20	2	...	...
	F	10	2	8	...	...	...
Nuisance—house of ill-fame	M	2	...	...	...	2	...
	F	...	...	...	...	...	...
Permitting premises to be used for im- moral purposes	M	2	...	...	...	...	2
	F	...	...	...	...	...	...
Violating True Name Law	M	16	...	13	1	2	...
	F	2	...	1	...	...	...
Idle and disorderly	M	...	...	...	...	...	...
	F	1	...	1	...	...	...
TOTAL	M	46	4	33	3	4	2
	F	13	2	10	...	1	...
GRAND TOTAL		59	6	43	3	5	2

<sup>1</sup> Compiled from docket of Municipal Court of the City of Boston, Second Sessions, 1920. For discussion of this table, see p. 216.

<sup>2</sup> For number of fines appealed see Table 2, column 6; and for correlation of disposition by fine in Municipal Court with disposition in Superior Court, see Table 18.

TABLE 4. LENGTH OF SENTENCE TO HOUSE OF CORRECTION AND COMMON JAIL OF SEX OFFENDERS COMMITTED BY THE MUNICIPAL COURT OF THE CITY OF BOSTON, SECOND SESSIONS, JANUARY 1 TO JUNE 30, 1920

OFFENSE		TOTAL COM- MITTED	LENGTH OF COMMITMENT														
			HOUSE OF CORRECTION								COMMON JAIL						
			1 mo.	2 mos.	3 mos.	4 mos.	6 mos.	8 mos.	12 mos.	15 mos.	10 das.	1 mo.	2 mos.	3 mos.	4 mos.	6 mos.	12 mos.
Adultery	M F	2 3	...	...	...	...	1	...	1	...	...	...	...	...	...	...	1
Fornication	M F	5 13	1 2	...	2 4	...	...	...	...	...	1	...	4 1	1 1	2	...	...
Lewd and lascivious co- habitation	M F	5 4	...	...	3	...	1	...	...	1	...	...	...	2	...	1	1
Nuisance—house of ill-fame	M F	3 4	...	...	2 1	...	1	...	...	...	...	...	...	2	...	1	...
Violating True Name Law	M F	...	1	1	...	...	...	...	...	...	...	...	...	...	...	...	...
Common night-walker	M F	...	10	...	...	...	...	...	...	...	...	...	...	7	3	...	...
Idle and disorderly	M F	...	14	...	...	2	4	1	...	...	...	...	2	5	...	...	...
Accosting and annoying per- son of opposite sex	M F	3 ...	...	1	...	...	1	...	...	...	1	...	...	...	...	...	...
Deriving support from the earnings of a prostitute	M F	1 1	...	...	...	...	...	...	1	...	...	...	...	...	...	1	...
TOTAL	M F	19 50	1 3	1 4	7 3	4 4	4 1	...	1 1	...	1 1	1 4	1 3	...	...	...	2 2
GRAND TOTAL		69	4	5	10	4	5	1	1	1	1	5	4	18	3	3	4

<sup>1</sup> Compiled from docket of Municipal Court of the City of Boston, Second Sessions, 1920. For discussion of this table, see pp. 216-217.

<sup>2</sup> For appeals from sentences to these two institutions, see Table 2, columns 11 and 13; and for correlation of disposition by sentence to penal institutions with disposition in Superior Court, see Table 18.

TABLE 5. DISPOSITION OF CASES OF SEX OFFENDERS ARRAIGNED IN THE

OFFENSE		TOTAL ARRAIGNED	DEFAULTED <sup>1</sup>	JURISDICTION DECLINED	DISMISSED FOR WANT OF PROSECUTION	DISMISSED ON MOTION OF ATTORNEY FOR DEFENDANT	DISCHARGED
Adultery	M	39	...	1	...	...	2
	F	31	...	...	...	...	1
Fornication	M	157	8	...	...	...	6
	F	164	19	...	...	...	6
Lewd and lascivious cohabitation	M	103	5	...	1	...	9
	F	102	7	1	1	...	8
Nuisance—house of ill-fame	M	13	...	...	...	...	4
	F	24	2	...	...	...	3
House of ill-fame	M	2	...	...	...	...	1
	F	2	...	...	...	...	...
Disorderly house	M	4	...	...	...	...	2
	F	6	2	...	...	...	1
Permitting premises to be used for immoral purposes	M	4	...	...	...	...	2
	F	2	...	...	...	...	1
Violating True Name Law	M	86	1	...	...	...	8
	F	80	...	...	1	...	11
Common night-walker	M	...	...	...	...	...	...
	F	62	5	...	...	1	8
Idle and disorderly	M	...	...	...	...	...	...
	F	97	8	4	2	...	27
Accosting and annoying person of opposite sex	M	51	...	...	4	...	9
	F	1	...	...	...	...	1
Deriving support from earnings of a prostitute	M	3	...	...	...	...	...
	F	1	...	...	...	...	...
Soliciting for a prostitute	M	1	...	...	...	...	...
	F	...	...	...	...	...	...
TOTAL	M	463	14	1	5	...	43
	F	572	43	5	4	1	67
GRAND TOTAL		1035	57	6	9	1	110

<sup>1</sup> Compiled from docket of Municipal Court of the City of Boston, Second Sessions, 1920. This table is discussed on pp. 217, 220-221.

<sup>2</sup> For amount of bail forfeitures, see Table 12.

<sup>3</sup> These defendants either plead guilty or were found guilty but no sentence was imposed.

<sup>4</sup> For disposition at expiration of probation, see Table 14.

MUNICIPAL COURT OF THE CITY OF BOSTON, SECOND SESSIONS, 1920<sup>1</sup>

CONVICTED								PEND- ING	UN- KNOW	SUMMARY OF CONVIC- TIONS AND APPEALS			
PLACED ON FILE <sup>2</sup>	FINED <sup>3</sup>	PROBATION <sup>4</sup>		COMMITTED TO PENAL INSTITUTION						TOTAL CONVICTED	PER CENT CONVICTED	TOTAL APPEALED <sup>7</sup>	PER CENT APPEALED OF THOSE CONVICTED
		Straight	Suspended Sentence	Common Jail <sup>5</sup>	House of Cor- rection <sup>6</sup>	State Farm <sup>8</sup>	Reformatory for Women <sup>9</sup>						
4 1	... ...	8 6	19 17	1 4	3 1	... ...	... ...	... ...	1 1	35 29	87.1 93.5	4 5	11.4 17.2
16 24	69 23	33 45	14 22	4 18	7 6	... ...	... 1	... ...	... ...	143 139	91. 84.7	12 23	14.3 16.5
18 12	2 ...	20 32	34 31	3 6	10 2	... ...	... 2	1 ...	... ...	87 85	84.4 83.3	12 10	13.7 11.7
... 1	2 2	2 3	1 6	... 6	4 1	... ...	... ...	... ...	... ...	8 19	61.5 79.1	5 8	62.5 42.1
... 1	1 ...	... ...	... 1	... ...	... ...	... ...	... ...	... ...	... ...	1 2	50. 100.	1 ...	100. ...
... 2	1 1	... ...	1 ...	... ...	... ...	... ...	... ...	... ...	... ...	2 3	50. 50.	... 1	... 33.3
... ...	2 ...	... ...	... 1	... ...	... ...	... ...	... ...	... ...	... ...	2 1	50. 50.	2 ...	100. ...
38 32	25 5	13 23	1 6	... 1	... 1	... ...	... ...	... ...	... ...	77 68	88.3 85.	3 6	7.6 8.8
... 6	... 1	... 3	... 8	... 23	... ...	... 1	... 6	... ...	... ...	48	77.4	... 30	... 62.5
... 7	... 1	... 12	... 12	... 14	... 7	... ...	... 3	... ...	... ...	56	57.7	... 25	... 44.6
7 ...	6 ...	7 ...	2 ...	2 ...	14 ...	... ...	... ...	... ...	... ...	38	74.5	16 ...	42.1 ...
... ...	... ...	... ...	... ...	1 1	2 ...	... ...	... ...	... ...	... ...	3 1	100. 100.	2 1	66.6 100.
... ...	... ...	... ...	... ...	... ...	1 ...	... ...	... ...	... ...	... ...	1 ...	100. ...	1 ...	100. ...
83 86	108 33	83 124	72 104	11 73	41 18	... 1	... 12	1 ...	1 1	397 451	85.5 78.8	58 109	14.6 24.1
169	141	207	176	84	59	1	12	1	2	848	81.8	167	19.7

<sup>1</sup> The tabulation of amounts of fines and length of commitment term for the first six months of the year were considered sufficiently illustrative of the practice in Boston. See Tables 3 and 4.

<sup>2</sup> Sentence indeterminate.

<sup>7</sup> For comparison of sentences and appeals in relation of offense, see Table 6. For disposition of appealed cases in Superior Court, see Table 19. For correlation of disposition in Municipal Court and Superior Court, see Table 20.

TABLE 6. CONVICTIONS AND APPEALS IN RELATION TO OFFENSE AND CITY OF BOSTON,

OFFENSE		TOTALS		PLACED ON FILE		FINED	
		Convicted	Appealed <sup>1</sup>	Convicted	Appealed	Convicted	Appealed
Adultery	M F	35 29	4 5	4 1	... ...	... ...	... ...
Fornication	M F	143 139	12 23	16 24	... ...	69 23	2 1
Lewd and lascivious cohabitation	M F	87 85	12 10	18 12	... ...	2 ...	... ...
Nuisance—house of ill-fame	M F	8 19	5 8	... 1	... ...	2 2	... 1
House of ill-fame	M F	1 2	1 ...	... 1	... ...	1 ...	1 ...
Disorderly house	M F	2 3	... 1	... 2	... ...	1 1	... 1
Persons permitting premises to be used for immoral purposes	M F	2 1	2 ...	... ...	... ...	2 ...	2 ...
Violating True Name Law	M F	77 68	3 6	38 32	... ...	25 5	3 4
Common night-walkers	M F	... 48	... 30	... 6	... ...	... 1	... ...
Idle and disorderly	M F	... 56	... 25	... 7	... ...	... 1	... 1
Accosting and annoying person of the opposite sex	M F	38 ...	16 ...	7 ...	... ...	6 ...	3 ...
Deriving support from the earnings of a prostitute	M F	3 1	2 1	... ...	... ...	... ...	... ...
Soliciting for a prostitute	M F	1 ...	1 ...	... ...	... ...	... ...	... ...
TOTAL	M F	397 451	58 109	83 86	... ...	108 33	11 8
GRAND TOTAL		848	167	169	...	141	19

<sup>1</sup> Compiled from docket of the Municipal Court of the City of Boston, Second Sessions, 1920. For discussion of this table, see p. 217.

DISPOSITION OF CASES ARRAIGNED IN THE MUNICIPAL COURT OF THE SECOND SESSIONS, 1920<sup>1</sup>

PROBATION				COMMON JAIL		HOUSE OF CORRECTION		STATE FARM		REFORMATORY FOR WOMEN		PERCENTAGES	
Straight		Suspended Sentence		Convicted	Appealed	Convicted	Appealed	Convicted	Appealed	Convicted	Appealed	Convicted (Of those arraigned)	Appealed (Of those convicted)
Convicted	Appealed	Convicted	Appealed										
8	...	19	...	1	1	3	3	...	...	...	...	87.1	11.4
6	...	17	...	4	4	1	1	...	...	...	...	93.5	17.2
33	...	14	...	4	3	7	7	...	...	...	...	91.	14.3
45	...	22	...	18	15	6	6	...	...	1	1	84.7	16.5
20	...	34	...	3	3	10	9	...	...	...	...	84.4	13.7
32	...	31	...	6	6	2	2	...	...	2	2	83.3	11.7
1	...	1	...	...	...	4	4	...	...	...	...	61.5	62.5
3	...	6	...	6	6	1	1	...	...	...	...	79.1	42.1
...	...	1	...	...	...	...	...	...	...	...	...	50.	100.
...	...	...	...	...	...	...	...	...	...	...	...	100.	...
...	...	1	...	...	...	...	...	...	...	...	...	50.	...
...	...	...	...	...	...	...	...	...	...	...	...	50.	33.3
...	...	1	...	...	...	...	...	...	...	...	...	50.	100.
...	...	...	...	...	...	...	...	...	...	...	...	50.	...
13	...	1	...	...	...	...	...	...	...	...	...	88.3	7.6
23	...	6	...	1	1	1	1	...	...	...	...	85.	8.8
3	...	8	...	23	23	...	...	1	1	6	6	77.4	62.5
12	...	12	...	14	14	7	7	...	...	3	3	57.7	44.6
7	...	2	...	2	1	14	12	...	...	...	...	74.5	42.1
...	...	...	...	...	...	...	...	...	...	...	...	...	...
...	...	...	...	1	...	2	1	...	...	...	...	100.	66.6
...	...	...	...	1	1	...	...	...	...	...	...	100.	100.
...	...	...	...	...	...	1	1	...	...	...	...	100.	100.
...	...	...	...	...	...	...	...	...	...	...	...	...	...
82	...	72	...	11	8	41	38	...	...	...	...	85.5	14.6
124	...	104	...	73	70	18	18	1	1	12	12	78.8	24.1
206	...	176	...	84	78	59	56	1	1	12	12	81.8	19.7

<sup>2</sup> For disposition of appealed cases in Superior Court, see Table 19. For correlation of disposition in Municipal Court and Superior Court, see Table 20.

TABLE 7. PLEAS IN RELATION TO OFFENSE AND CONVICTION, MUNICIPAL COURT OF THE CITY OF BOSTON, SECOND SESSIONS, JANUARY 1 TO JUNE 30, 1920

OFFENSE		TOTAL NUM- BER AR- RAIGNED	BAIL FOR- FEITURES	PLEAS			CONVICTIONS		
				Guilty	Not guilty	Misc.	Total	Number con- victed who plead not guilty	Per cent con- victed who plead not guilty
Adultery	M	25	...	11	14	...	23	12	52.1
	F	20	...	9	11	...	19	10	52.6
Fornication	M	77	2	37	37	1	73	36	49.3
	F	81	8	33	36	4	70	35	50.
Lewd and lascivious cohabitation	M	46	2	19	25	...	36	19	52.7
	F	49	2	21	26	...	41	21	51.2
Nuisance—house of ill-fame	M	8	...	...	8	...	6	6	100.
	F	8	...	1	7	...	7	6	85.7
House of ill-fame	M	1	...	...	1	...	1	1	100.
	F	1	...	...	1	...	1	1	100.
Disorderly house	M	...	1	1	...	...	1	...	...
	F	2	1	1	...	...	1	...	...
Permitting premises to be used for im- moral purposes	M	4	...	1	4	...	2	2	100.
	F	2	...	1	1	...	1	1	100.
Violating True Name Law	M	43	1	22	19	1	40	17	42.5
	F	40	...	19	20	1	38	18	47.3
Common night- walker	M	...	2	...	22	...	19	19	100.
	F	24	2	...	22	...	19	19	100.
Idle and disorderly	M	58	4	4	50	...	33	29	87.8
	F	58	4	4	50	...	33	29	87.8
Accosting and annoy- ing person of op- posite sex	M	13	...	...	13	...	9	9	100.
	F	...	...	...	...	...	...	...	...
Deriving support from the earnings of a prostitute	M	1	...	...	1	...	1	1	100.
	F	1	...	...	1	...	1	1	100.
TOTAL	M	218	5	89	122	2	190	102	53.6
	F	286	17	89	175	5	231	143	62.1
GRAND TOTAL		504	22	178	297	7	421	245	58.1



TABLE 8. DISPOSITION OF FIRST 100 CASES (WOMEN) ARRAIGNED IN 1920 IN THE MUNICIPAL COURT OF THE CITY OF BOSTON, SECOND SESSIONS, SHOWING NUMBER OF CONTINUANCES PRECEDING FINAL DISPOSITION <sup>1</sup>

DISPOSITION	TOTAL	NUMBER OF CONTINUANCES					
		0	1	2	3	4	6
Appealed	24	2	5	8	2	6	1
Defaulted	9	6	2	...	1	...	...
Jurisdiction declined	1	...	1	...	...	...	...
Dismissed for want of prosecution	2	...	2	...	...	...	...
Discharged	9	3	2	2	2	...	...
Placed on file	13	5	3	3	...	2	...
Fined	4	1	1	1	...	1	...
Probation	38	9	22	6	1	...	...
TOTAL	100	26	38	20	6	9	1

<sup>1</sup> Compiled from the docket of the Municipal Court of the City of Boston, Second Sessions, 1920. This table is discussed on p. 218.

TABLE 9. DISPOSITION OF FIRST 100 CASES (WOMEN) ARRAIGNED IN 1920 IN THE MUNICIPAL COURT OF THE CITY OF BOSTON, SECOND SESSIONS, SHOWING INTERVAL OF TIME BETWEEN ARREST AND FINAL DISPOSITION <sup>1</sup>

DISPOSITION	TOTAL	DAYS BETWEEN ARRAIGNMENT AND DISPOSITION										
		1 day	2 days	3 days	4 days	5 days	6 days	7 days	8 days	9 days	11-20 days	21-33 days
Appealed	23	1	1	1	2	1	...	3	1	1	12	...
Defaulted	3	...	...	1	1	...	...	...	...	...	1	...
Jurisdiction declined	1	...	...	1	...	...	...	...	...	...	...	...
Dismissed for want of prosecution	2	...	1	...	...	...	1	...	...	...	...	...
Discharged	7	1	1	...	1	1	...	...	...	...	2	1
Placed on file	8	...	1	1	1	...	...	1	1	...	2	1
Fined	1	...	...	...	...	...	...	...	...	...	1	...
Probation	29	1	...	6	5	1	3	7	1	1	3	1
TOTAL	74	3	4	10	10	3	4	11	3	2	21	3

<sup>1</sup> For source of data, see footnote 1, Table 8.

TABLE 10. RELATION BETWEEN NUMBER OF CONTINUANCES OF CASES OF SEVENTY-FOUR WOMEN TO INTERVALS OF TIME BETWEEN ARREST AND FINAL DISPOSITION<sup>1</sup>

TIME INTERVALS	TOTAL	NUMBER OF CONTINUANCES				
		1	2	3	4	6
1 day	3	3	...	...	...	...
2 days	4	3	...	1	...	...
3 days	10	10	...	...	...	...
4 days	10	6	4	...	...	...
5 days	3	3	...	...	...	...
6 days	4	3	1	...	...	...
7 days	11	6	5	...	...	...
8 days	3	2	1	...	...	...
9 days	2	1	1	...	...	...
11-20 days	21	1	6	5	8	1
21-33 days	3	...	2	...	1	...
TOTAL	74	38	20	6	9	1

<sup>1</sup> Based on Tables 8 and 9.TABLE 11. BAIL FORFEITURES, MUNICIPAL COURT OF THE CITY OF BOSTON, SECOND SESSIONS, JANUARY 1 TO JUNE 30, 1920<sup>1</sup>

OFFENSE		TOTAL NUMBER OF FOR- FEITURES	CASH BAIL		REAL ESTATE					PER- SONAL REC- OG- NIZANCE	NOT SPEC- IFIED	NUMBER OF CASES IN WHICH RECOVERY WAS SOUGHT
			\$25	\$50	\$100	\$200	\$300	\$500	Not Re- corded			
Fornication	M F	2 8	...	1 ...	1 2	...	...	...	1 2	...	...	...
Lewd and lasciv- ious cohabitation	M F	2 2	...	...	1 ...	...	...	...	...	2 ...	...	2 ...
Disorderly house	M F	...	1 ...	...	...	...	...	...	...	1 ...	...	...
Violating True Name Law	M F	1 ...	...	...	...	...	...	...	...	1 ...	...	...
Common night- walker	M F	...	2 ...	...	...	2 ...	...	...	...	...	...	2 ...
Idle and dis- orderly	M F	...	4 ...	...	...	2 ...	1 ...	...	1 ...	...	...	4 ...
TOTAL	M F	5 17	...	1 1	1 2	...	4 1	...	1 3	1 1	...	2 11
GRAND TOTAL		22	3	2	3	4	1	1	5	2	1	13

<sup>1</sup> Compiled from docket of Municipal Court of the City of Boston, Second Sessions, 1920. This table is discussed on p. 218.<sup>2</sup> Re disposition in Superior Court of bail forfeiture cases, see Table 13.

TABLE 12. BAIL FORFEITURES, MUNICIPAL COURT OF THE CITY OF BOSTON, SECOND SESSIONS, 1920<sup>1</sup>

OFFENSE		TOTAL NUMBER OF FORFEITURES	CASH BAIL				REAL ESTATE					PERSONAL RECOGNIZANCE	NOT SPECIFIED	NUMBER OF CASES IN WHICH RECOVERY WAS SOUGHT
			\$20	\$25	\$50	Not recorded	\$100	\$200	\$300	\$500	Not recorded			
Fornication	M	8	...	...	3	...	2	...	...	...	1	...	...	2
	F	19	...	5	2	1	3	2	...	1	4	1	...	10
Lewd and lascivious cohabitation	M	5	...	...	...	...	...	...	1	1	2	1	...	4
	F	7	1	...	1	...	...	...	...	2	...	...	3	2
Nuisance—house of ill-fame	M	...	...	...	...	...	...	...	...	...	2	...	...	2
	F	2	...	...	...	...	...	...	...	...	...	...	...	...
Disorderly house	M	...	...	...	...	...	...	...	...	...	...	2	...	...
	F	2	...	...	...	...	...	...	...	...	...	...	...	...
Violating True Name Law	M	1	...	...	...	...	...	...	...	...	...	1	...	...
	F	...	...	...	...	...	...	...	...	...	...	...	...	...
Common night-walker	M	...	...	...	...	...	...	5	...	...	...	...	...	5
	F	5	...	...	...	...	...	...	...	...	...	...	...	...
Idle and disorderly	M	...	...	...	...	...	...	4	1	...	2	1	...	7
	F	8	...	...	...	...	...	...	...	...	...	...	...	...
TOTAL	M	14	...	...	3	...	2	...	1	1	3	4	...	6
	F	43	1	5	3	1	3	11	1	3	8	4	3	26
GRAND TOTAL		57	1	5	6	1	5	11	2	4	11	8	3	32

<sup>1</sup> Compiled from docket of Municipal Court of the City of Boston, Second Sessions, 1920. For discussion of this table, see p. 218.

<sup>2</sup> Re disposition in Superior Court of bail forfeitures, see Table 13.

TABLE 13. DISPOSITION IN SUPERIOR COURT OF REAL ESTATE BAIL FORFEITURE CASES FROM MUNICIPAL COURT OF THE CITY OF BOSTON, SECOND SESSIONS, 1920<sup>1</sup>

REAL ESTATE	TOTAL	DISCONTINUED ON PAYMENT OF			PENDING JULY 1, 1921
		\$20	\$25	\$26 to \$35	
\$100	4	...	1	...	3
200	11	2	...	3	6
300	2	...	...	...	2
400	1	...	...	...	1
500	4	...	1	...	3
Not specified	10	1	5	1	3
TOTAL	32	3	7	4	18

<sup>1</sup> Compiled from court papers filed with Clerk of Superior Court of Suffolk County. For discussion of this table see p. 218.

TABLE 14. DISPOSITION AT EXPIRATION OF PROBATION OF CASES  
ARRAIGNED IN THE MUNICIPAL COURT OF THE CITY OF BOSTON,  
SECOND SESSIONS, 1920<sup>1</sup>

OFFENSE		TOTAL	SURRENDERED	DEFAULTED	PROBATION EXTENDED	DISMISSED FROM PROBATION	WARRANT ISSUED BEFORE EXPIRATION OF PROBATION	PENDING	UNKNOWN
Adultery	M	27	3	7	3	9	...	4	1
	F	23	...	12	5	2	1	3	...
Fornication	M	47	...	9	7	31	...	...	...
	F	67	9	19	15	17	2	4	1
Lewd and lascivious cohabitation	M	54	2	16	15	18	...	3	...
	F	63	5	17	16	21	1	2	1
Nuisance—house of ill-fame	M	3	...	1	...	2	...	...	...
	F	9	1	4	1	2	...	1	...
House of ill-fame	M	...	...	...	...	...	...	...	...
	F	1	1	...	...	...	...	...	...
Disorderly house	M	1	1	...	...	...	...	...	...
	F	...	...	...	...	...	...	...	...
Permitting premises to be used for immoral purposes	M	...	...	...	...	...	...	...	...
	F	1	...	...	...	1	...	...	...
Violating True Name Law	M	14	...	2	1	9	...	1	1
	F	29	1	3	4	20	...	...	1
Common night-walker	M	...	...	...	...	...	...	...	...
	F	11	5	4	2	...	...	...	...
Idle and disorderly	M	...	...	...	...	...	...	...	...
	F	24	3	6	7	7	1	...	...
Accosting and annoying person of opposite sex	M	9	...	...	1	7	...	1	...
	F	...	...	...	...	...	...	...	...
TOTAL	M	155	6	36	27	75	...	9	2
	F	228	25	65	50	70	5	10	3
GRAND TOTAL		383	31	101	77	145	5	19	5

<sup>1</sup> Compiled from the docket of the Municipal Court of the City of Boston, Second Sessions, 1920. For discussion of this table, see p. 207.

TABLE 15. EXTENSIONS ON PROBATION UP TO OCTOBER 1, 1921, OF CASES PLACED UPON PROBATION BY THE MUNICIPAL COURT OF THE CITY OF BOSTON, SECOND SESSIONS, JANUARY 1 TO JUNE 30, 1920<sup>1</sup>

OFFENSE		TOTAL NUMBER PLACED ON PROBATION	TOTAL NUMBER OF PROBATIONERS WHOSE CASES WERE EXTENDED	PROBATION EXTENDED			
				Once	Twice	Three Times	Four Times
Adultery	M F	18 16	3 7	3 2	..2	..3	...
Fornication	M F	34 37	3 13	2 11	1 1	...	..1
Lewd and lascivious co- habitation	M F	25 30	10 10	5 6	4 3	..1	1 ...
Nuisance—house of ill-fame	M F	1 3	...	...	...	...	...
House of ill-fame	M F	..1	..1	..1	...	...	...
Disorderly house	M F	...	...	...	...	...	...
Permitting premises to be used for immoral purposes	M F	..1	...	...	...	...	...
Violating True Name Law	M F	4 17	..3	..2	..1	...	...
Common night-walker	M F	..4	..3	..1	..2	...	...
Idle and disorderly	M F	..12	..5	..4	..1	...	...
Accosting and annoying per- son of opposite sex	M F	2 ...	...	...	...	...	...
Deriving support from the earnings of a prostitute	M F	...	...	...	...	...	...
TOTAL	M F	84 121	16 42	10 27	5 10	..4	1 1
GRAND TOTAL		205	58	37	15	4	2

<sup>1</sup>Compiled from docket of the Municipal Court of the City of Boston, Second Sessions, 1920. For discussion of this table see p. 207.

TABLE 16. JUDGES PRESIDING IN SECOND SESSIONS, MUNICIPAL COURT OF THE CITY OF BOSTON, 1920<sup>1 2</sup>

1920	JUDGES
JANUARY	Wentworth Bolster
FEBRUARY	Creed Duff
MARCH	Parmenter Sullivan Bolster
APRIL	Parmenter Duff
MAY	Duff Wentworth
JUNE	Parmenter
SEPTEMBER	Wentworth
OCTOBER	Duff Dowd
NOVEMBER	Dowd Murray Sullivan
DECEMBER	Murray Duff Parmenter

<sup>1</sup> Supplied through the courtesy of the Chief Probation Officer of the Municipal Court of the City of Boston.

<sup>2</sup> No regular schedule for July and August.

TABLE 17. DISPOSITION IN SUPERIOR COURT OF SUFFOLK COUNTY OF CASES OF SEX OFFENDERS APPEALED IN THE MUNICIPAL COURT OF THE CITY OF BOSTON, JANUARY 1 TO JUNE 30, 1920<sup>1 2</sup>

OFFENSE		TOTAL NUMBER APPEALING	DEFAULTED	NOLLE PROS.	ON FILE			FINED	PROBATION	COMMON JAIL	HOUSE OF CORRECTION	PENDING	UNKNOWN
					On recommendation of District Attorney	By order of the Court	On payment of expenses						
Adultery	M	2	...	1	...	...	...	...	...	...	...	1	...
	F	3	...	...	1	...	...	...	1	...	...	1	...
Fornication	M	5	...	1	1	...	1	2	...	...	...	...	...
	F	15	2	3	3	...	...	3	2	...	...	...	2
Lewd and lascivious cohabitation	M	5	...	...	4	...	...	...	...	...	...	...	1
	F	6	...	...	2	...	...	...	3	1	...	...	...
Nuisance—house of ill-fame	M	4	...	...	...	1	1	1	...	...	1	...	...
	F	4	...	1	2	...	...	1	...	...	...	...	...
House of ill-fame	M	...	...	...	...	...	...	...	...	...	...	...	...
	F	...	...	...	...	...	...	...	...	...	...	...	...
Disorderly house	M	...	...	...	...	...	...	...	...	...	...	...	...
	F	...	...	...	...	...	...	...	...	...	...	...	...
Permitting premises to be used for immoral purposes	M	2	...	...	...	...	2	...	...	...	...	...	...
	F	...	...	...	...	...	...	...	...	...	...	...	...
Violating True Name Law	M	2	...	1	1	...	...	...	...	...	...	...	...
	F	3	...	...	3	...	...	...	...	...	...	...	...
Common night-walker	M	...	...	...	...	...	...	...	...	...	...	...	...
	F	14	1	4	7	2	...	...	...	...	...	...	...
Idle and disorderly	M	...	...	...	...	...	...	...	...	...	...	...	...
	F	17	2	6	4	...	...	...	5	...	...	...	...
Accosting and annoying person of opposite sex	M	2	...	...	...	...	...	1	...	...	...	...	1
	F	...	...	...	...	...	...	...	...	...	...	...	...
Deriving support from earnings of a prostitute	M	1	...	1	...	...	...	...	...	...	...	...	...
	F	1	...	...	...	...	...	...	...	1	...	...	...
TOTAL	M	23	...	4	6	1	4	4	...	...	1	1	2
	F	63	5	14	22	2	...	4	11	2	...	1	2
GRAND TOTAL		86	5	18	28	3	4	8	11	2	1	2	4

<sup>1</sup> Compiled from docket of the Superior Court of Suffolk County, 1920. For discussion of this table see pp. 218, 220.

<sup>2</sup> For correlation of disposition in Superior Court with disposition in Municipal Court, see Table 18.

TABLE 18. CORRELATION OF DISPOSITION OF APPEALED CASES IN THE MUNICIPAL COURT OF THE CITY OF BOSTON AND THE SUPREME COURT OF SUFFOLK COUNTY, JANUARY 1 TO JUNE 30, 1920<sup>1</sup>

DISPOSITION IN THE SUPERIOR COURT		TOTAL	DISPOSITION IN MUNICIPAL COURT				
			Fined	Common Jail	House of Cor- rection	State Farm	Re- formatory for Women
Defaulted	M F	... 5	... ...	... 2	... 1	... ...	... 2
Nolle Pros.	M F	4 14	1 1	1 5	2 5	... 1	... 2
On file	M F	11 24	5 2	... 16	6 5	... ...	... 1
Fined	M F	4 4	... ...	... ...	4 4	... ...	... ...
Probation	M F	... 11	... ...	... 7	... 1	... ...	... 3
Common jail	M F	... 2	... ...	... 2	... ...	... ...	... ...
House of Correction	M F	1 ...	... ...	... ...	1 ...	... ...	... ...
Pending	M F	1 1	... ...	1 1	... ...	... ...	... ...
Unknown	M F	2 2	... 1	1 ...	1 1	... ...	... ...
TOTAL	M F	23 63	6 4	3 33	14 17	... 1	... 8
GRAND TOTAL		86	10	36	31	1	8

<sup>1</sup> Compiled from dockets of Municipal Court of the City of Boston, Second Sessions, and Superior Court of Suffolk County, 1920. For discussion of this table see pp. 218, 219, 220.



TABLE 19. DISPOSITION IN SUPERIOR COURT OF SUFFOLK COUNTY OF CASES OF SEX OFFENDERS APPEALED IN THE MUNICIPAL COURT OF THE CITY OF BOSTON, SECOND SESSIONS, 1920<sup>1 2</sup>

OFFENSE		TOTAL	DEFAULTED	NOLLE PROS.	DISCHARGED	ON FILE			FINED	PROBATION	COMMON JAIL	HOUSE OF CORRECTION	PENDING	UNKNOWN
						On recommendation of District Attorney	By order of the Court	On payment of expenses						
Adultery	M F	4 5	1 ...	1 ...	...	...	2 ...	...	...	1 1	...	...	1 2	...
Fornication	M F	12 23	...	3 5	...	2 5	...	1 ...	5 5	1 3	...	...	...	3
Lewd and lascivious cohabitation	M F	12 10	...	1 1	...	4 2	...	...	...	3 5	1 1	...	...	3
Nuisance—house of ill-fame	M F	5 8	...	...	...	...	1 2	1 ...	2 1	...	...	1 ...	...	...
House of ill-fame	M F	1 ...	...	...	...	1 ...	...	...	...	...	...	...	...	...
Disorderly house	M F	...	...	...	...	...	...	...	...	...	...	...	1 ...	...
Permitting premises to be used for immoral purposes	M F	2 ...	...	...	...	...	...	2 ...	...	...	...	...	...	...
Violating True Name Law	M F	3 6	...	1 ...	...	1 3	...	...	...	1 1	1 1	...	...	1
Common night-walker	M F	...	2 30	...	...	...	3 ...	...	...	2 2	...	...	...	...
Idle and disorderly	M F	...	...	...	...	...	...	...	...	8 ...	...	...	1 ...	...
Accosting and annoying person of opposite sex	M F	16 ...	...	8 ...	1 ...	2 ...	...	1 ...	1 ...	...	...	...	...	3
Deriving support from earnings of a prostitute	M F	2 1	...	1 ...	...	...	...	...	...	...	1 ...	...	...	1
Soliciting for a prostitute	M F	1 ...	...	1 ...	...	...	...	...	...	...	...	...	...	...
TOTAL	M F	58 109	1 8	16 23	1 1	10 35	1 3	5 1	8 6	5 20	1 5	1 ...	1 4	8 3
GRAND TOTAL		167	9	39	2	45	4	6	14	25	6	1	5	11

<sup>1</sup> Compiled from docket of Superior Court of Suffolk County, 1920. For discussion of this table, see pp. 218-220.

<sup>2</sup> For correlation of disposition in Superior Court with disposition in Municipal Court, see Table 20.

TABLE 20. CORRELATION OF DISPOSITION OF APPEALED CASES IN THE MUNICIPAL COURT OF THE CITY OF BOSTON, SECOND SESSIONS, AND THE SUPERIOR COURT OF SUFFOLK COUNTY, 1920<sup>1</sup>

DISPOSITION IN THE SUPERIOR COURT		TOTAL	DISPOSITION IN MUNICIPAL COURT				
			Fined	Common Jail	House of Cor- rection	State Farm	Re- formatory for Women
Defaulted	M	1	...	...	1	...	...
	F	8	...	5	1	...	2
Nolle Pros.	M	16	3	3	10	...	...
	F	23	2	12	5	1	3
Discharged	M	1	...	...	1	...	...
	F	1	...	1	...	...	...
On file	M	16	7	1	8	...	...
	F	39	3	28	5	...	3
Fined	M	8	...	1	7	...	...
	F	6	...	2	4	...	...
Probation	M	5	...	1	4	...	...
	F	20	1	13	2	...	4
Common jail	M	1	...	...	1	...	...
	F	5	...	5	...	...	...
House of Correction	M	1	...	...	1	...	...
	F	...	...	...	...	...	...
Pending	M	1	...	1	...	...	...
	F	4	1	3	...	...	...
Unknown	M	8	2	1	5	...	...
	F	3	1	1	1	...	...
TOTAL	M	58	12	8	38	...	...
	F	109	8	70	18	1	12
GRAND TOTAL		167	20	78	56	1	12

<sup>1</sup> Compiled from dockets of Municipal Court of the City of Boston, Second Sessions, and Superior Court of Suffolk County, 1920. For discussion of this table see pp. 219-220.

TABLE 21. APPEALED CASES PENDING DETERMINATION OF APPEAL IN THE SUPERIOR COURT OF SUFFOLK COUNTY, 1920<sup>1</sup>

DISPOSITION		TOTAL	IN JAIL	ON BAIL	UNKNOWN
Defaulted	M	1	1	...	...
	F	8	2	6	...
Nolle Pros.	M	16	1	14	1
	F	23	...	23	...
Discharged	M	1	1	...	...
	F	1	1	...	...
Placed on file	M	16	7	9	...
	F	39	7	32	...
Fined	M	8	4	4	...
	F	6	...	6	...
Probation	M	5	4	1	...
	F	20	6	14	...
Common jail	M	1	1	...	...
	F	5	5	...	...
House of Correction	M	1	1	...	...
	F	...	...	...	...
Pending	M	1	...	1	...
	F	4	2	2	...
Unknown	M	8	...	...	8
	F	3	...	...	3
TOTAL	M	58	20	29	9
	F	109	23	83	3
GRAND TOTAL		167	43	112	12

<sup>1</sup> For source of data and discussion, see footnote 1, Table 22, and p. 219.

TABLE 22. STUDY OF SOCIAL HISTORIES OF FIFTY WOMEN PLACED  
SECOND

OFFENSE	TOTAL NUMBER OF PROBATIONERS	COLOR		NATIONALITY								AGE AT TIME OF ARREST							
		WHITE	COLORED	AMERICAN	ENGLISH	IRISH	CANADIAN	RUSSIAN	GERMAN	ITALIAN	SPANISH	18-19 YEARS	20-24 YEARS	25-29 YEARS	30-34 YEARS	35-39 YEARS	40-44 YEARS	45-49 YEARS	OVER 50 YEARS
Adultery	8	7	1	5	...	...	1	1	...	1	...	1	5	2	...	...	...	...	...
Fornication	18	15	3	13	1	...	3	1	...	...	...	2	5	3	4	...	3	1	...
Lewd and lascivious cohabitation	12	10	2	5	1	3	...	1	...	1	1	1	4	3	2	1	1	...	...
House of ill-fame	1	1	...	...	...	...	...	...	1	...	...	...	...	...	...	1	...	...	...
Violating True Name Law	4	4	...	1	1	2	...	...	...	...	...	...	...	...	1	...	2	...	1
Common night-walker	1	1	...	...	...	1	...	...	...	...	...	...	...	...	1	...	...	...	...
Idle and disorderly	6	6	...	6	...	...	...	...	...	...	...	2	3	...	...	1	...	...	...
TOTAL	50	44	6	30	3	6	4	3	1	2	1	6	17	8	8	3	6	1	1

<sup>1</sup> For discussion and manner of selecting these cases, see pp. 209-212.<sup>2</sup> Statements regarding religion are too inadequate to tabulate.

UPON PROBATION BY THE MUNICIPAL COURT OF THE CITY OF BOSTON,  
SESSIONS, 1920<sup>1 2</sup>

OFFENSE	CIVIL CONDITION AT TIME OF ARREST				MANNER OF LIVING AT TIME OF ARREST								CHILDREN					
	SINGLE	MARRIED	WIDOW	NOT STATED	WITH PARENTS	WITH HUSBAND	WITH RELATIVE	KEEPING HOUSE	IN HOTEL	IN ROOMING HOUSE	WITH LOVER	NOT STATED	LEGITIMACY AND NUMBER OF CHILDREN					
													Legiti- mate				Illegitimate— 1 child	Legitimacy not established— 1 child
													None	1 child	2 children	3 children		
Adultery	...	8	...	...	1	1	...	...	...	...	2	4	4	2 <sup>1</sup>	2	...	...	...
Fornication	6	8	3	1	1	...	...	5	1	4	3	4	12	2	...	1	1	2
Lewd and lascivious cohabitation	5	5	2	...	...	...	...	1	...	...	4	7	6	3	...	...	3	...
House of ill-fame	...	1	...	...	...	...	...	...	...	...	...	1	...	1	...	...	...	...
Violating True Name Law	...	3	1	...	...	3	...	1	...	...	...	...	1	...	...	3	...	...
Common night-walker	...	1	...	...	...	...	1	...	...	...	...	...	1	...	...	...	...	...
Idle and disorderly	4	2	...	...	3	1	...	1	...	1	...	...	4	...	1	...	1	...
TOTAL	15	28	6	1	5	5	1	8	1	5	9	16	28	8	3	4	5	2

<sup>1</sup> One probationer had one legitimate child and one child whose legitimacy was not established.

TABLE 23. NUMBER OF PREVIOUS AND SUBSEQUENT ARRAIGNMENTS<sup>1</sup> OF WOMEN PLACED UPON PROBATION IN THE MUNICIPAL COURT OF BOSTON, SECOND SESSIONS, 1920<sup>2</sup>

OFFENSE	TOTAL NUMBER OF PROBA- TIONERS	NUMBER OF PREVIOUS ARRAIGNMENTS												NUMBER OF SUBSE- QUENT ARRAIGN- MENTS IN THE MUNI- CIPAL COURT OF THE CITY OF BOSTON, SECOND SESSIONS, UP TO OCTOBER 1, 1921					
		0	1	2	3	4	5	10	13	14	17	22	0	1	2	3	4	5	
Adultery	8	7	...	1	...	...	...	...	...	...	...	...	6	...	2	...	...	...	
Fornication	18	11	1	...	1	...	2	1	1	1	...	...	15	...	1	...	1	1	
Lewd and lascivious cohabitation	12	10	...	...	...	1	...	...	...	...	1	...	11	1	...	...	...	...	
House of ill-fame	1	...	...	1	...	...	...	...	...	...	...	...	1	...	...	...	...	...	
Violating True Name Law	4	4	...	...	...	...	...	...	...	...	...	...	4	...	...	...	...	...	
Common night- walker	1	...	...	...	...	...	...	...	...	...	...	1	...	...	...	1	...	...	
Idle and disorderly	6	4	1	1	...	...	...	...	...	...	...	...	3	3	...	...	...	...	
TOTAL	50	36	2	3	1	1	2	1	1	1	1	1	40	4	3	1	1	1	

<sup>1</sup> In the absence of a finger-printing system, it is apparent that this record may only partially represent the actual number of recidivists.

<sup>2</sup> For source of data see footnote 1, Table 22.

TABLE 24. FREQUENCY OF CALLS AT HOME OF PROBATIONER IN RELATION TO THE NUMBER OF TIMES PROBATIONER, RELATIVE, OR HOUSE-KEEPER WAS FOUND AT HOME<sup>1</sup>

NUMBER OF CALLS MADE AT PROBA- TIONERS' HOME	TOTAL NUMBER OF PROBA- TIONERS <sup>2</sup>	NUMBER OF TIMES OFFICER FOUND PROBATIONER					NUMBER OF TIMES OFFICER FOUND RELATIVE OR HOUSEKEEPER IN ABSENCE OF PROBATIONER				
		0	1	2	3	5	0	1	2	3	4
1	6	5	1	...	...	...	3	3	...	...	...
2	6	3	1	2	...	...	3	2	1	...	...
3	6	2	1	1	2	...	3	3	...	...	...
4	1	...	...	...	1	...	...	1	...	...	...
5	4	...	2	...	1	1	2	...	2	...	...
6	2	...	...	...	1	1	2	...	...	...	...
7	1	1	...	...	...	...	1	...	...	...	...
8	1	...	...	1	...	...	...	...	...	1	...
9	1	...	...	...	...	1	...	...	1	...	...
10	1	...	...	...	1	...	...	...	...	...	1
TOTAL	29	11	5	4	6	3	14	9	4	1	1

<sup>1</sup> For source of data and discussion, see footnote 1, Table 22.

<sup>2</sup> Twenty-one homes were not called upon by probation officer.

TABLE 25. FREQUENCY OF PROBATIONER'S REPORTING BY LETTER IN RELATION TO NUMBER OF CALLS MADE BY PROBATION OFFICER, AND TO LENGTH OF PROBATION <sup>1</sup>

NUMBER OF MONTHS ON PROBATION	TOTAL NUMBER OF PROBATIONERS <sup>2</sup>	NUMBER OF TIMES PROBATIONER REPORTED BY LETTER <sup>3</sup>								NUMBER OF CALLS MADE BY PROBATION OFFICER AT PROBATIONER'S HOME										
		0	1	2	3	5	6	7	8	0	1	2	3	4	5	6	7	8	9	10
Up to 3 months	5	4	...	...	1	...	...	...	...	3	1	1	...	...	...	...	...	...	...	...
4-6 months	21	12	5	2	1	1	...	...	...	7	2	5	2	1	2	1	...	1	...	...
7-9 months	6	1	1	1	2	...	1	...	...	...	...	...	2	...	1	1	1	...	1	...
10-12 months	7	4	...	...	...	1	...	1	1	...	3	...	2	...	1	...	...	...	...	1
TOTAL	39	21	6	3	4	2	1	1	1	10	6	6	6	1	4	2	1	1	1	1

<sup>1</sup> For source of data and discussion see footnote 1, Table 22.

<sup>2</sup> The eleven probationers not accounted for in this table were disposed of as follows: one by another department of the court, four returned to their home towns, and four were placed upon inside probation. The records of two probationers could not be found.

<sup>3</sup> Second deputy probation officer informed the writer that girls who were visited by probation officer are not required to write except to inform of change of address.

TABLE 26. DISPOSITION OF PROBATION CASES AT EXPIRATION OF PROBATION <sup>1</sup>

OFFENSE	TOTAL NUMBER OF PROBATIONERS <sup>2</sup>	DISPOSITION AT EXPIRATION OF PROBATION			
		Defaulted	Dismissed	Probation Extended	Still on Probation
Adultery	8	5	...	2	1
Fornication	15	6	4	4	1
Lewd and lascivious cohabitation	11	2	6	3	...
House of ill-fame	1	1	...	...	...
Violating True Name Law	4	...	4	...	...
Common night-walker	...	...	...	...	...
Idle and disorderly	5	2	2	1	...
TOTAL	44	16	16	10	2

<sup>1</sup> For source of data and discussion, see footnote 1, Table 22. For status of probationers October 1, 1921, see p. 212.

<sup>2</sup> Six girls were surrendered before expiration of probation.

## BOOK REVIEWS

PROSTITUTION IN THE UNITED STATES. By Howard B. Woolston, Ph.D. New York: Century Company, 1921. 360 p.

To a careful consideration of authoritative data on his subject, all published, but much of it now made readily accessible for the first time, Mr. Woolston has added the results of personal study conducted in 40 cities after a uniform plan. The result is a book which is valuable to the student, the reformer, the sociologist, and to the lay man or woman preparing to undertake local "clean-up" work, a book which will long remain one of the series of standard reference volumes in its field. In method of treatment and care for adequate documentation it complements Flexner's study of prostitution in Europe, and because of these qualities, as well as because of the added decade treated, it will supersede the American chapters of Sanger's history.

The plan for the study was made before the entry of the United States into the war and before the unprecedented war-time attack on prostitution by the government and non-official agencies. The greater part of the field work was done during the first six months of 1917, and when the task of putting his material into book form was undertaken after the interruption of the author's war service, "it became evident," he says, "that we had passed through a transition period." The close of the war marked the end of the old order and the beginning of a new era with more extensive governmental efforts. For this reason it was decided to divide the study into two parts, of which the second is still in preparation by other authors. The present volume deals briefly with the historical background from colonial beginnings, glancing at early methods of controlling the prostitute as a disease carrier, a danger recognized in Spain as early as 1570, the mental and physical characteristics of the prostitute, mistaken beliefs as to the necessity for the evil methods of exploitation, the attitude of the police and lax police administration as a factor in the success of vice, the treatment of the subject by the courts, and a sane and logical discussion of causes and means of prevention. Mr. Woolston's attitude throughout is impartial, his point of view that of the student. Many



of his conclusions regarding the police in the communities which he studied accord with those expressed by Fosdick in *American Police Systems*. He reckons with the manifold difficulties of finding a solution of the problem but is not led away by the common argument that because a thing has existed it must continue to exist.

His conviction in the matter of sex education is eminently quotable:

Much misery is unquestionably the result of sheer ignorance and lack of judgment. . . . The important function of sex cannot be left to chance instruction nor to reckless experiment. Yet we are still uncertain as to the wisest methods of imparting this information. To some it seems that much of the effort to teach children the mysteries of human reproduction by describing the growth of flowers and starfish is beside the point, because it does not give youngsters an understanding of the essential facts they seek to discover. On the other hand, a bare recital of the physiology of sex and depicting the horrible ravages of venereal diseases will not deter a bold spirit from experimentation. . . . The main problem appears to be not only how young persons may acquire certain necessary information but more especially how they may early develop the right attitude toward the matter disclosed. This brings us to the last point. If we are to stamp out prostitution we must establish a sound social morality. . . . When the belief is generally accepted that sex functions are essentially for the propagation of the race we shall cut the taproot of selfish exploitation. How this can best be effected is a matter for future determination. But it would seem that the idea of loyalty to future generations can be inculcated as well as reverence toward the past or allegiance to our fellow countrymen. When continence becomes a virtue comparable with patriotism, we shall cease to tolerate the sowing of wild oats as a foible and put such dissipation from us as treason to humanity.

By no means the least valuable features of the book are the illustrative tables and the amply detailed forms to be used in investigations. Appended "exhibits" include printed forms of receipt for tax on keeping a house of prostitution, rules for segregated district, health department regulations, house rules, and advertisements of exploiters. The index is adequate and the bibliography extended.

Volume II of this study, now nearing completion, will deal with the history of prostitution in the United States after the entrance of this government into the World War and will carry the story up to the autumn of 1922 in order to include the period of return to peace-time conditions.

R. H. E.

**WOMEN'S WILD OATS—Essays on the Re-fixing of Moral Standards.**

By C. Gasquoine Hartley (Mrs. Arthur D. Lewis). New York: Frederick A. Stokes Co., 1920. 238 p.

Starting with Victory Day, November 11, 1918, Mrs. Lewis traces what seems to her the breaking down of standards of conduct for women. Like the title, the chapter headings are startling, more startling than the reading matter. Through them all runs the strain that the peril to the future is "the problem of the unstable woman, clamorous and devouring."

Besides the introduction there are six essays. The first is entitled "The Prosperity of Fools" and deals with the women war workers and their changed ideals. From the new occupations in which women engaged during the war, women have become confused in their sense of values and have come to care more for the leading of their individual lives than for the supreme sacrifices entailed in the preservation of the race and the service of the family. It is intimated that the young girl workers now out of very lucrative employment are going to be led into temptation and worse because they can no longer afford their silk stockings and sheer blouses. "This must lead to prostitution." As a refixed moral standard Mrs. Lewis does "not want freedom for each woman to do what she wants. . . . The only rights I desire to claim for my sex are those necessary for the discharge of its own duties; the fulfillment of the instinctive maternal craving; the realization of the deepest impulses of a woman's nature."

The essay on "The Covenant of God" idealizes the Jewish woman's religious and unselfish view of marriage as against the English woman's arrogant and egoistic acceptance of the married state.

With the last four essays in this collection Mrs. Lewis expects most people to disagree. But with the exception of the very last, "Foreseeing Evil," which suggests "open recognition of honorable partnerships outside of marriage" for certain persons not suited to marriage, most social workers will be more inclined to agree with the conclusions in this quartet, than with the rest of the book. "That Which is Wanting" advocates quite openly and plainly more freedom and latitude in divorce, subject, however, to some qualifying regulations.

Granted the principle of divorce—and it now seems to be accepted everywhere outside of the Roman Catholic Church—one must certainly in some way try to deliver us out of the hideous travesty ex-

emplified by many of our modern divorcees. Yet not even from the example of Catholic Spain which the author uses to prove her assertion that indissoluble marriage fails in practice, can we be willing to accept this statement as absolute. The first principle of good case work is to get all the facts and all the causes of a certain situation. The author's opinion of the causes of illegitimacy in Spain does not make it so, particularly when, according to the United States Children's Bureau reports, the illegitimate birth-rate in Spain is *not* the highest of any country in Europe. As a matter of fact it is twelfth in the scale of countries, and there are many other causes contributing to the illegitimacy that does exist. This illustrates one of the glaring faults in Mrs. Lewis' book. It is not scientifically accurate, but little effort having been made, apparently, to probe beneath the surface of the problems which she treats.

The essay, "If a Child Could Choose," asks only what is present-day progressive practice in the United States. "The urgent duty that rests with the law and with us all is the duty of taking action to prevent as far as it is possible, and in every way that we can, the penalty of its illegitimate birth being paid by the child." This has been the aim of the Department of Public Welfare in dealing with the unmarried mothers in New York for the past four or five years. However, it is doubtful whether the "unmarried mothers are overwhelmingly preponderant among the frivolous and weak-willed." This is another generalization that is not borne out by statistical studies and intimate knowledge of the unmarried mother problem.

MARY C. TINNEY.

### BRIEFER COMMENT

**OUR WOMEN.** By Arnold Bennett. New York: George H. Doran, 1920. 216 p.

Amusing but stimulating essays on "the sex discord," the economic position of women, and the "dailiness of married life."

**SYPHILIS IN CHILDHOOD.** By Leonard Findlay. London: Oxford Press, 1919. xii+154 p.

A well-correlated book on congenital syphilis. The chapters devoted to mode of infection are particularly valuable to the general medical practitioner, for he is the first to see the syphilitic baby, and must be able to diagnose congenital syphilis.

**JUVENILE DELINQUENCY.** By Henry Herbert Goddard. New York: Dodd, Mead & Co., 1921. v+120 p.

A resumé of what is being accomplished by the Ohio Bureau of Juvenile Research, emphasizing the fact that juvenile delinquency is a solvable question.

The thesis is that the delinquent must be regarded not as a child to be punished, but as one to be treated and trained. The stigma of punishment should be entirely removed. State institutions should be called state schools, and the children should be "admitted" and not committed.

THE EUGENIC PROSPECT: NATIONAL AND RACIAL. By C. W. Saleeby. New York: Dodd, Mead & Co., 1921. 239 p.

This well-known author does not use the term eugenics as it is generally understood in America. He leans strongly to the environmentalist side and includes in his purview many factors which are almost purely hygienic or economic in their effects. He discusses with equal facility and no attempt at organization: the declining birth-rate, votes for women, alcohol and other social poisons, war, over-population, venereal diseases, soft coal smoke, unscientific diet, housing and heating, and education and tuberculosis. Dr. Saleeby is an enthusiastic champion of the United States in its handling of social problems.

TWELVE ESSAYS ON SEX AND PSYCHOANALYSIS. By Wilhelm Stekel. Translated and edited by S. A. Tannenbaum. New York: Critic and Guide Company, 1922. 320 p.

An exponent of Freud, Dr. Stekel discusses various sexual topics from the psychoanalytical point of view. The first essay, "Sexual Abstinence and Health," deals with the sexual problems of normal individuals: the prevalence of masturbation, the effects of sexual abstinence, the need for sex education of the young, the need of hospitalization of venereal-disease cases. The remaining essays are devoted to problems of abnormality, some of them on homosexuality, exhibitionism, and the cause and treatment of obsessions.

### BOOKS RECEIVED

*Under this head the JOURNAL OF SOCIAL HYGIENE lists books received which do not fall sufficiently within its field or are not of sufficient importance to its readers to warrant comment.*

PUBLICATIONS FROM THE DERMATOLOGICAL RESEARCH LABORATORIES OF PHILADELPHIA. Collected reprints. Chicago: American Medical Association, Vol. 2, 1920.

THE MAN ON HORSEBACK. F. F. Farnsworth. Charleston, W. Va.: Tribune Printing Company, 1921. 264 p.

ASPECTS OF CHILD LIFE. G. Stanley Hall. New York: Appleton, 1921. 326 p.

HANDBOOK OF SOCIAL RESOURCES OF THE UNITED STATES. Genevieve P. Hendricks. Washington: American Red Cross, 1921. lxxi+300 p.

LA RÉGLEMENTATION À STOCKHOLM. J. E. Johansson. Geneva: Fédération Abolitionniste Internationale. 144 p.

THE BEGINNING AND WAY OF LIFE. Charles W. Littlefield. Seattle: Metropolitan Press, 1919. xxxvi+632 p.

OPINIONS ON THE BOLSHEVISM OF SEX. Fernand J. J. Merckx. New York: Higher Thought Publishing Company, 1921. 207 p.

MEASURING MINDS. An Examiner's Manual to Accompany the Myers Mental Measure. Caroline E. Myers and Garry C. Myers, Ph.D. New York: Newson & Co., 1921. 55 p.

- EINFÜHRUNG IN DIE SEXUAL PÄDAGOGIK. Acht Vorträge im Zentralinstitut für Erziehung und Unterricht. Berlin: E. S. Mittler, 1921. 158 p.
- ADDRESSES ON PSYCHOANALYSIS. J. J. Putnam, M.D. With preface by S. Freud, M.D., LL.D. London: International Psychoanalytical Press, 1921. v+470 p.
- PENOLOGY IN THE UNITED STATES. Louis M. Robinson. Philadelphia: Winston Company, 1921. 344 p.
- PREVENTIVE MEDICINE AND HYGIENE. M. J. Rosenau. New York: Appleton, fourth edition, 1921. 1567 p.
- HOME SERVICE IN ACTION. Mary Buell Sayles. New York: New York Chapter, American Red Cross, 1921. 232 p.
- SYPHILIS. Loyd Thompson, M.D. Philadelphia and New York: Lea & Febiger, second edition, 1920. xviii+415 p.

### ABSTRACTS OF PERIODICAL LITERATURE

CRITICAL COMMENT ON CURRENT METHODS OF PUBLIC EDUCATION IN VENEREAL DISEASE. By J. E. Rush. *American Journal of Sociology*, Vol. xxvii, No. 3, November, 1921.

The public-health movement that hopes to control the venereal diseases must, in the first place, be candid. Gonorrhea and syphilis should not be referred to as the "venereal" diseases, because these diseases are not always venereal. Both are often acquired accidentally, and syphilis often occurs congenitally. Regardless, however, of the nature of the method of infection, at no time should the moralistic attitude be assumed by the social hygienist.

In the control of these diseases the emphasis must be placed on the individual, since they are spread through intimate contact. In order to reach the individual, it is necessary to educate the people of the community and to mold public opinion. Ministers can help, but the real source of aid is in the educational system. The author believes that the problem should be attacked in the last year of high school (with the proper teachers, of course,) and certainly in the institutions of higher learning where hygiene is regularly in the curriculum.

BAD MARRIAGE AND QUICK DIVORCE. By George Elliott Howard. *Journal of Applied Sociology*, Vol. vi, No. 2, December, 1921.

Professor Howard's thesis is that "frivolous, immature, or other bad marriages end in the divorce court," and that the root of the divorce problem is bad marriages. In summarizing his statements, the following facts are important:

Divorce must be frankly accepted as an effect rather than a cause

of bad social conditions. The wise social reformer deals with causes. He must be concerned with the prevention of marriages of the physically and mentally unfit.

There should be a revision of our marriage laws. Marriage resorts should be closed. A good civil matrimonial code would check hasty, clandestine, frivolous, and immature wedlock. Marriage should not be contracted until legal majority. Wedlock is surely as serious a business as making a will or signing a deed.

Moreover, a better and uniform license system is needed in order to secure full publicity and faithful compliance with the spirit of the law. It should include a provision for the announcement of intention to marry. Only five states now require such an advance notice of from two to five days.

A final point is that there is need of a better informed public sentiment. The young should be educated to the responsibility and seriousness of the marriage ties. A loftier ideal of the domestic relations must be fostered. A rational system of education, broad enough to embrace the whole complex problem of sex, marriage, and the family, would eliminate the divorce problem to a great extent.

INTRODUCTION TO STUDY OF SOCIAL HYGIENE. By J. A. Dale. *Public Health Journal*, Vol. xii, No. 1, January, 1922.

The solution of the problem of the venereal diseases resolves itself into the following principles:

1. Society must reduce the conditions which make against decent living, and strengthen all that makes for a higher standard.
2. The venereal diseases must be discussed and treated as such, as a medical problem to be attacked by scientific methods.
3. Legislation for repression must be based on accurate knowledge and still more, on absolute justice. While not neglecting the differences between men and women, we must emphasize their common humanity, their common fate, and their joint responsibility in lightening the scourge, as well as their common challenge to build up a nobler standard.
4. The control of the situation in the last resort rests on the formation of the best types of character in the greatest number of individuals, and the progressive embodiment of their ideals in the institution of society.

PREVENTIVE MEDICINE AND EUGENICS. By Major Leonard Darwin.  
*International Journal of Public Health*, Vol. ii, No. 6, November-December, 1921.

"The first duty of medicine is not to cure disease, but to prevent it." This duty falls not only on medicine but also on eugenics. Looking to the future it is indisputable that the best citizens will spring from the germ plasm endowed with the best potentialities when exposed to the best surroundings; and as regards posterity, progress may be made by improving either the germ itself or its surroundings. There are four ways of attempting to improve the health of posterity: by trusting to the influence of acquired characters; by the avoidance of racial poisons; by endeavoring to prevent children from being infected or poisoned before birth by the mother; and by the method of selection. In England the scientific world is now swinging back somewhat toward a belief in the racial effects of use and disuse. As to the next two methods discussed, they can be combined under the heading of racial poisons, although the term "racial" is perhaps unfortunate. It would be better applicable to effects or differences which are truly hereditary in character, or differences originating in the germ plasm. In this sense of the word, syphilis cannot be spoken of as a racial poison. To abolish syphilis would be an unspeakable boon to mankind; but if it should prove to be a fact that its effects are not truly hereditary, endeavors to promote racial progress will have to be along other lines. It may be that syphilis gives rise both to congenital syphilis in the next generation and to a permanent deterioration of the germ plasm; and the absence of congenital syphilitic symptoms in the third generation is no proof that harmful hereditary effects are not thus produced. Many authorities offer proof that mental defects are resultant factors of syphilis; but an equally large number offer proof to the contrary. Until the question is settled, syphilis cannot be said to constitute a racial poison. The same question arises in a consideration of alcoholism.

Darwin lays chief emphasis upon the selective method of improving the stock. It is the aim of this method to utilize the natural heredity as an agency for promoting the welfare of mankind. It is the duty of preventive medicine to seek out those mentally, morally, or physically defective, and the more their fertility is reduced, the fewer defectives will be bred into the race. On the other hand, efforts should be directed to the encouragement of mating among the superior stock.

This could be accomplished by the dissemination of the facts of natural inheritance; by liberal education; and by instilling in the minds of the young a conception of their responsibility to the race.

### NOTE AND COMMENT

LONDON VENEREAL DISEASE PROGRAM.—Col. L. W. Harrison and Dr. F. N. K. Menzies, two of England's foremost medical authorities, have compiled a report on the London County Council Venereal Disease Scheme which was published in July, 1921. Two preventive measures are set forth: (a) rendering non-infectious the greater number of infection carriers, and (b) discouraging, by education and general propaganda, practices which lead to exposure to infection. The first was attempted by free treatment centers; the second was undertaken by the National Council for Combating Venereal Diseases.

Hospitals in various centers of population were designated to treat venereal cases in early and communicable stages and the high proportion of the government grant (75 per cent) was fixed in order that the facilities provided should be available for the whole population, the entire population to be served by the scheme having been estimated at 7,659,000.

The operation of the scheme during the year 1917 was carried out under abnormal war conditions, but notwithstanding, every hospital held to its schedule of advertised clinics, and in the course of the year, 15,000 new patients attended.

In reviewing the work for the four years, 1917-1921, the report details the results of the survey which covers the social and medical venereal-disease control facilities in London. The principles governing the organization of venereal-disease clinics agree for the most part with the best American practice. So well are the findings and comments set forth that a leading clinic authority in the United States expressed the hope that "every health officer in our country may obtain a copy of this report and read every word of it." The educational possibilities of the venereal-disease clinic are recognized and the necessity for a general educational campaign is noted. Governmental grants for this latter purpose have been received, and much has been done, not only toward enlightening the public about the dangers of the venereal diseases, but in outlining to them the tremendous potentialities of a wholesome sex education. Many publications and motion



pictures recommended by the American Social Hygiene Association are advocated by the English organization.

Questions relating to the infected delinquent and the infected pregnant woman are recognized as bearing upon the problem, and the establishment of seven "hostels" is indicative of the recognition. These hostels are conducted on the lines of a residential club for girls and serve to insure regular attendance at the clinic as well as to keep them usefully employed in various types of work. In addition to this influence for good, the report recommends a further improvement in the nature of a "reception house" to provide immediate shelter for various types of cases now unprovided for. "The arrangement should also permit of the provision of separate accommodations according to the matron's discrimination. The period of residence should be as short as possible," says the report.

The entire program as outlined by Col. Harrison and Dr. Menzies runs in close alignment with the group of measures which has proved so effective in the United States.

**FIRST INTERNATIONAL CONGRESS FOR SEXUAL REFORM.**—This congress was held in Berlin, September, 1921, and it is planned to hold a similar meeting in Rome during 1922. The first congress included delegates from Finland, Holland, Italy, Russia, South America, and Sweden.

Of the many topics discussed, the following are interesting, some even challenging:

Though the monogamic union is an evolution of the constructive Western civilization, it is not well suited to eugenic ends.

Legislative control of morality is ineffectual, since the primitive sex impulse will always oppose it.

The neo-Malthusian methods of birth control are preferable to interruption of pregnancy.

Sterilization of degenerate criminals and lunatics, as a temporary measure at least, is advocated.

Sex education should have as its ideals the formation of character, moral autonomy, and the sense of responsibility.

Puberty in boys hinders intellectual development, but in girls, furthers it.

It might be expected that such topics would call forth widely varying opinions, some of them unquestionably devoid of balance. Fortunately, public opinion is sufficiently powerful to act as a check on extreme views.

CINCINNATI QUESTIONNAIRE ON SEX EDUCATION.—Of interest to social-hygiene workers is the recent publication by the Cincinnati Social Hygiene Society of a "Report of a Questionnaire upon Sex Education," by E. F. Van Buskirk and E. J. Van Buskirk. The questionnaire contained 13 questions so formulated as to extract as complete data as possible regarding what is being done in the schools in teaching the facts of social hygiene, either directly or indirectly, and how the public is reacting to such efforts.

An evaluation of the data obtained indicates that a moderate program of sex education is received without objection by most people.

THE LAST NUMBER OF "THE MALTHUSIAN."—The Malthusian League (London) has considered it judicial to change the name of its monthly publication, *The Malthusian*, to *The New Generation*, a name of broader and more exact implications. Its editors hope that the new paper "will both fulfill the objects of *The Malthusian* and satisfy the more popular demand for birth-control literature."

## SOCIAL HYGIENE BIBLIOGRAPHY

Compiled by  
JANET F. MELVAIN

*Executive Librarian, Library of the Common Service Committee*

- Anti-venereal campaign. League of Red Cross Societies *Bulletin*, Oct.-Nov., 1921, p. 547.
- BROADMAN, J. The prevention of venereal diseases. *New York Medical Journal*, Dec. 21, 1921, p. 710-712.
- CLARK, M. A. Statistics of venereal disease in the navy. *Military Surgeon*, Dec., 1921, p. 665-671.
- CLARK, M. A. Venereal diseases in the United States army. *Military Surgeon* Dec., 1921, p. 672-680.
- CLARKE, W. Popular education concerning venereal diseases. *International Journal of Public Health*, Nov.-Dec., 1921, p. 617-621.
- DAVENPORT, C. B. Research in eugenics. *Science*, Oct. 28, 1921, p. 391-397.
- Delinquent patients. *National Health* (London), Dec., 1921, p. 83-84.
- EVERETT, R. H. Sign posts in social hygiene. *Survey*, Nov. 5, 1921, p. 217-218.
- HARRISON, L. W. Medical measures against venereal diseases. *Nation's Health*, Oct., 1921, p. 551-553.
- HAZEN, H. H. Public health activities in venereal disease control. *American Journal of Syphilis*, Oct., 1921, p. 674-676.
- HEAGERTY, J. J. Progress of venereal disease control in Canada. *Public Health Journal* (Toronto), Oct., 1921, p. 459-463.
- HOLMES, A. Some moral aspects of physical education. *National Education Association Journal*, Dec., 1921, p. 191-193.
- HOPE, E. W. The prevention of venereal diseases. *Journal of State Medicine*, Nov., 1921, p. 333-343.
- INGE, W. R. Control of parenthood: Moral aspects. *Nation*, Dec. 7, 1921, p. 642-643.
- IRVINE, H. G. AND A. N. THOMSON. The management of the venereal disease clinic. *Hospital Management*, Feb., 1922, p. 46-48.
- KIRBY, G. H. Alcohol and syphilis as causes of mental disease under prohibition. *Scientific Temperance Journal*, Dec., 1921, p. 193-197.
- MACLACHLAN, E. The delinquent girl. *Social Welfare* (Toronto), Dec. 1, 1921, p. 54-57.
- MITCHELL, H. H. Need for special health protection of employed adolescents. *American Journal of Public Health*, Nov., 1921, p. 973-978.
- MONTGOMERY, D. W. Concerning the pre-Columbian existence of syphilis in Europe. *American Journal of Syphilis*, Oct., 1921, p. 563-564.
- MOORE, E. L. The social aspects of the venereal disease problem. *Public Health Journal* (Toronto), Dec., 1921, p. 546-551.
- MORGAN, E. A. Syphilis; its relation to infant mortality and child welfare, with a discussion of present day

- method for its control. *Public Health Journal* (Toronto), Nov., 1921, p. 500-506.
- PILLING, G. P. A review of the literature of syphilis. *Medical Times*, Feb., 1922, p. 48-51.
- PROSTITUTION. *Survey*, Jan. 7, 1922, p. 571-572.
- PURDUM, E. A. Early management of syphilis from a public health standpoint. *Medical Insurance and Health Conservation*, Nov., 1921, p. 40-41.
- ROSS, E. A. Controlled fecundity. *New Republic*, Jan. 25, 1922, p. 243-246.
- ROUT, E. A. Practical control of venereal disease in England. *New York Medical Journal*, Nov. 2, 1921, p. 536-539.
- RUSH, J. E. Critical comment on current methods of public education in venereal diseases. *American Journal of Sociology*, Nov., 1921, p. 325-333.
- Self-disinfection in the campaign against venereal diseases. *International Journal of Public Health*, Nov.-Dec., 1921, p. 591-604.
- Self-disinfection policy. *Health and Empire* (London), Dec., 1921, p. 12-14.
- Sex instruction. *Medical Officer* (London), Dec. 24, 1921, p. 278.
- SHAFFER, L. W. Four centuries in the treatment of syphilis. *Military Surgeon*, Nov., 1921, p. 566-579.
- SHOWERMAN, G. Art and decency. *Yale Review*, Jan., 1922, p. 304-314.
- TUMPEER, I. H. Syphilis in the third generation. *American Journal of Syphilis*, Oct., 1921, p. 601-613.
- Unity of action against venereal disease. *World's Health* (Geneva), Jan., 1922, p. 35-37.
- WALSH, J. J. Conservative eugenics and race betterment. *America*, Oct. 15, 1921, p. 610-612.
- West Australian health act and treatment of venereal disease. *International Woman Suffrage News*, Feb., 1922, p. 69-70.
- WHITE, D. The International abolitionist conference: some notes on notification and self-disinfection. *International Woman Suffrage News*, Jan., 1922, p. 53-55.
- YOUNG, V. C. The delinquent girl—one of our liabilities. *Medical Times*, Dec., 1921, p. 289-290.

# Journal of Social Hygiene

VOL. VIII

JULY, 1922

NO. 3

---

## THE CAMPAIGN AGAINST VENEREAL DISEASES IN EASTERN EUROPE

WALTER CLARKE

*Formerly Chief, Division of Popular Health Instruction, League of Red Cross  
Societies, Geneva, Switzerland*

There is a general impression among physicians and health workers in Europe that venereal diseases have increased greatly during and since the war. The inquirer is told that the invading armies brought venereal diseases, and especially syphilis, with them. It is averred that the Russians when they penetrated Germany, the Austrians when they swept over Serbia, the Germans when they invaded France, brought syphilis with them and spread it in rural communities previously almost untainted. On the other hand, Russians, Germans, and Austrians are equally emphatic in their declarations that their armies, returning home from foreign campaigns, brought syphilis with them and distributed it broadcast over countrysides formerly almost exempt from these plagues. It is always the stranger, and particularly the enemy, at whom the finger of accusation is pointed. It is so now, and has been after previous wars.

Doubtless the truth is that moving armies in war-time always distribute venereal diseases, and when an army sweeps over an

enemy country the opportunities for soldiers mutually to infect themselves and the population of such countries, are greatly increased. But there is another, a more significant element in the present condition of apprehensiveness which one finds in Europe. It is that health authorities and intelligent people generally are more than ever before alive to the prevalence and seriousness of venereal diseases as an impediment to individual and national health and happiness.

I have gone back to the painful memories of the war because, although Europe is trying to forget and to leave behind war experiences, the great awakening and activity with regard to venereal diseases date and spring from the war. It is quite natural that the greatest popular interest in combating syphilis and gonorrhea is to be found in the countries which suffered most acutely from the war. It was not surprising to find in a country such as neutral Sweden, for many years a leader in all health administrative measures, very complete and modern legal and clinical machinery for combating venereal diseases, but I was less prepared to find in war-shattered Belgrade valiant efforts being made to relieve the distress caused by the inadequate facilities with which to care for poverty-stricken people infected with venereal diseases. One finds that the same anxiety to cure and prevent syphilis and gonorrhea is evident in Sofia, Bucharest, Prague, Warsaw, Riga, and Constantinople. The health authorities and the other leaders of public-health work in these capitals are sufficiently alive to the needs of infected persons, but the difficulties which stand in the way of effective measures are not likely to be overcome without a long struggle.

The lack of medicaments, due to the low purchasing power of the debased currency of eastern European countries, and the lack of physicians, are the greatest obstacles in the countries of east and southeastern Europe to the establishment of adequate and sufficiently numerous treatment centers. Ample quantities of arsenical compounds for the treatment of syphilis are produced in England, France, and Germany to supply the needs of the hospitals, clinics, and private practitioners of Europe, but the

almost worthless paper money of such countries as Poland and Rumania has prevented the adequate importation of these and other drugs. Inevitably, it is the patient needing free treatment who suffers most, and efforts were made without success by Rumanian organizations to purchase salvarsan or its equivalent on long-time credits in order to meet this need. However, a condition which two and a half years ago was appalling, has greatly improved because of the reëstablishment of something approaching normal trade relations between such countries as Rumania, Jugo-Slavia, and Poland on the side of the buyer, and Germany on the side of the seller. The continued depreciation of the German mark has made it possible for countries having debased currencies to purchase German drugs, and these drugs are now in general use in the Balkan states and in eastern Europe.

The lack in eastern Europe of trained personnel for the treatment of venereal diseases is a matter that cannot quickly be remedied. It is in Rumania, Bulgaria, and the Baltic states that the need for doctors is the greatest. From Rumania, a country in which syphilis is recognized as the most serious and pressing of all health problems, an appeal was sent to the League of Red Cross Societies to furnish doctors to accompany mobile units which were to circulate from village to village treating the population and giving especial attention to syphilitic children, of which there are a very large number. In order to have any general effect, a large number of such units would have been necessary, and the League of Red Cross Societies had not the funds to supply the required personnel. I found that in Bulgaria, outside of Sofia, and in Turkey, including Constantinople, no medical services for the treatment of venereal diseases, or any other diseases, were generally available. Constantinople, in fact, presented the most tragic picture of physical and moral misery to be found in Europe, except in Russia. So far as the bulk of the population is concerned, the health situation is hopeless, both because competent medical attention is not to be had, and because of the wretched sanitary conditions of the city. A few English, French, and American physicians care for the foreign

colony; the Turks and the drifters from the Near East who crowd the miserable streets and alleys of Pera and Stamboul, go unattended, and syphilis, gonorrhea and other diseases have their own way with them. Dr. A. R. Hoover, an American physician connected with Constantinople College, is attempting, and with some success, to conduct a public clinic which may in due time lead to some provision for adequate medical attention for the general population. His work, however, is only a beginning. The representatives of the allied governments at Constantinople have interested themselves in venereal diseases principally on behalf of the military forces of Great Britain, France, and Italy stationed on the Bosphorus. While it is not possible to make public at the present time information concerning the efforts already made by the allied commission, it may be remarked in passing that the commission had, up to a few weeks ago, done most of the things which it should have left undone with regard to the control of venereal diseases. The Health Section of the League of Nations, under the direction of Dr. Rajchman, has given some attention to the situation in Constantinople, and the distinguished president of the Health Section, Dr. Madsen of Denmark, has been in Constantinople recently. While the League of Nations has no authority over the allied commission, it is possible that the moral influence of the Health Section may result in improvement in the health conditions in Constantinople. Failing this, there will surely be a long black time ahead for the million people who live in the vicinity of the Golden Horn, for the Turk is not capable of caring for himself, to say nothing of those whom he dominates.

Most travelers to eastern Europe will agree in regarding Bulgaria as the most enterprising and hopeful of the Balkan states. Although it has been swept again and again by wars, Bulgaria is very rich in natural resources, and is populated by hardy, industrious, and intelligent people. Sofia is generally considered the best city of the Balkan states. And yet, Dr. Karamikiloff, a leading physician of Sofia, informed me that for the 5,000,000 inhabitants in Bulgaria, there are only 600 properly qualified



physicians, of whom 30 are in the Sofia city and royal health services, and 300 in the provincial health service. There are, unfortunately, only too many quacks and charlatans. The University of Sofia has recently established a medical school in which there has been a large enrollment, and thus the difficulty in Bulgaria in so far as lack of medical practitioners is concerned is in a way to be remedied. Some of the most distinguished teachers of the old Russian universities fleeing from the régime of the Bolsheviks, have joined the faculty of the University of Sofia. There is reason to foresee the development of a brilliant center of learning in this capital.

The present facilities for the treatment of venereal diseases in southeastern Europe are, as one would expect under the distressing conditions, of the crudest. Even in the comparatively modern, well-equipped Red Cross Hospital in Sofia, poverty and lack of supplies are evident in every direction. In Belgrade a hospital of 350 beds has been arranged out of four former barracks. Two barracks are filled with men and two with women and children. I saw syphilitic children of twelve and fourteen years of age and a pregnant syphilitic woman in the same small room with dilapidated old prostitutes. In the same city a public clinic is in operation in which the freest mingling of peasant women waiting for treatment and registered prostitutes waiting for their regular weekly medical examination is allowed. Every available inch of floor space was used, even to the extent of a waiting line out of the clinic, down the back stairs and into the street. A chief of the clinic and six assistants cared for 300 to 400 cases a day, including examinations of prostitutes. Under the most discouraging conditions and with the most inadequate facilities both as to housing and equipment, these physicians and laboratory workers are heroically struggling to relieve the suffering caused by the neglect of venereal diseases after the war, and, at the same time, they are pressing upon the government and upon all visitors the crying need for further assistance.

In Jugo-Slavia more than in any other nation of southeastern Europe, the importance of popular health instruction is recog-

nized. An active health propaganda department was organized by Dr. Stamper in the Ministry of Hygiene of Jugo-Slavia. Motion pictures, posters, and pamphlets are used, together with lectures, the principal subjects of instruction being tuberculosis, venereal diseases, child hygiene, and alcoholism. Here, and in many other European countries, the motion pictures produced by the American Social Hygiene Association are in use and are giving satisfaction. German films on venereal diseases produced by Ufa of Berlin are also used in the Balkans. The appropriation made by the Belgrade government for health propaganda throughout Jugo-Slavia is, proportionately, one of the largest made by any national government for health instruction. However, health instruction in Jugo-Slavia is not only particularly difficult but particularly necessary because of the illiteracy of the peasants, and this is only one of the knotty problems faced by the health workers of the Kingdom of the Serbs, Croats, and Slovenes. In other Balkan states virtually nothing in the nature of systematic popular health instruction exists. Sporadic attempts have been made in Rumania to give instruction concerning tuberculosis and syphilis, but the lack of funds and of trained personnel is so great as to be quite discouraging to the native agencies.

In a country such as Czechoslovakia, having a high degree of culture, the recovery from post-war conditions is proceeding much more rapidly. Two and a half years ago there was a serious lack of arsenical compounds for the treatment of syphilis. This has now been remedied. There has been an increase in venereal diseases, I was informed by competent specialists in Prague, but in Bohemia, at least, there is no serious scarcity of physicians, and the deficiencies of other parts of the republic, such as Slovakia, are rapidly being corrected by an energetic and competent Ministry of Health. Poland is, I judge, more nearly in the position of Bulgaria than of Czechoslovakia; that is, on the way to recovery; but she still has a long way to go. The three Baltic states, Latvia, Esthonia and Lithuania, are less worried about venereal diseases than about the maintenance of

permanent governments (which, even in the best of times, change all too rapidly) for a sufficient time to enable them somehow to function. It has been the observation of many health workers that the venereal diseases appear not to be such an acute health problem in the Baltic states as in certain of the more developed countries to the south of them. There is, however, in these three small republics a lack of almost everything which is necessary for good health work: doctors, nurses, and medicine. The University of Riga, at one time a very creditable institution, was relieved of its books and equipment by the armies which invaded Latvia during the war. A former prime minister of Latvia, at one time an instructor in the University of Kansas, told me of the plans of the republic to make the University again a great center of learning, but for the present, at least, medical assistance must come from Germany or elsewhere, for physicians cannot be properly trained in Riga University.

It is an important part that has been played by voluntary agencies in the efforts to reduce the prevalence of venereal diseases since the war, in certain east European countries, particularly Czechoslovakia. Here there are two societies for combating venereal diseases, representative of the sharp lingual and political division of the population, namely, the Czech and the German societies. Each has done good work with very small resources. The German society has occupied itself with the German-speaking people of the republic, especially in Prague and Pilsen, and in its propaganda has made use of the educational exhibits produced by that very useful organization, the Dresden Hygiene Institute. The highly successful mobile health instruction unit organized by the League of Red Cross Societies in Czechoslovakia has now, after a year of demonstration by the League, been taken over by the Red Cross societies of that country. From the beginning the directors of the unit have had the coöperation of the two venereal-disease societies in arranging for the popular sex-hygiene lectures which make up a part of the program. The American Social Hygiene Association's popular films were used in this educational work. The

Czech society, standing as it does close to the Ministry of Health and collaborating with the Czech Red Cross, has been influential through its president, Professor Samberger, in molding the policy of the government regarding venereal diseases and prostitution. The whole policy of Czechoslovakia in this field of health and morals has, for some time, been under consideration, and Professor Samberger and his associates have given much attention to the development of a national policy which in its general features resembles that of Sweden.

The Eastern European Red Cross Regional Conference on Venereal Diseases, which was organized by the League of Red Cross Societies and which convened in Prague about one year ago, brought together representatives from Czechoslovakia, Poland, Austria-Hungary, Bulgaria, and Jugo-Slavia. The Red Cross Society of Czechoslovakia was host to the Conference, and the Czech Society for Combating Venereal Diseases played an important part in the arrangements and proceedings. The Conference strongly urged that educational and medical measures should be undertaken for combating venereal diseases in eastern Europe.

It is generally recognized that Czechoslovakia is the most advanced, as well as the most stable of eastern European states, and in matters of health organization this is especially evident. There is, of course, good reason for such a condition, and, as one would expect, it is found in the high quality of a few leaders, of whom one must mention Dr. Alice Masaryk, president of the Red Cross Society in Czechoslovakia and daughter of the beloved president of the Republic; Dr. Prohaska, former Minister of Health, and Professor Gunn, of the International Health Board, who has for three years been expert advisor to the Ministry of Health. These three general leaders, with others of almost equal importance in the special health fields of tuberculosis, venereal diseases, and child welfare, have given Czechoslovakia its advanced standing in health matters. Through the collaboration of the Red Cross Society of Czechoslovakia and the Ministry of Health, a central council of public-health agencies, similar to

the American National Health Council, has been established. The German and Czech venereal-disease societies are members of this council.

In Poland the Society for Racial Regeneration devotes itself, among its other activities, to the problems of venereal diseases. Officers of the society have been instrumental in causing studies to be made which indicate the seriousness of syphilis and gonorrhea in Poland, and the society has engaged in several important educational enterprises. A system which is intended to combine certain features of abolitionism and regulation was, when I visited Poland, and I believe still is, the official policy of the country.

The greatest need of these societies, and others which might be discussed, is funds. With money to spend on motion pictures, printed matter, and personnel, they could do a magnificent work in the interests of health. As it is to-day, they are keeping the flame alive, and in some places they are playing a part of strategic importance.

In each state of eastern Europe, with the exception of Rumania, Turkey, and the Baltic states, government agencies are working more or less actively toward the prevention and treatment of venereal diseases. Turkey, that is, the shadow government of the Sultan in Constantinople, cannot for some time to come do anything regarding any general health matter. Rumania, if a strong ministry of health can be formed, will doubtless give primary attention to venereal diseases. Each of the Baltic states has undertaken heavy programs for the future regarding child hygiene, as a result of the work of the American Red Cross under the direction of Colonel Ryan, and of the Paget Mission under the direction of Lady Muriel Paget, and it is not likely that these struggling republics will do more than carry out these agreements, if, indeed, they are able to do that.

Every observer who travels in and studies eastern Europe, realizes, in comparing conditions there with those of western Europe, how far these states, mostly created by a process of re-scrambling instead of unscrambling the eggs, as was intended, are

limited by their adverse economic conditions in any attempts they may make to grapple with major health problems. Tuberculosis was as great an enemy of the Polish people as was typhus, even during the epidemic years, and doubtless the same may be said of the Letts, Lithuanians, and Esthonians. Syphilis, like tuberculosis, is not a spectacular disease, and is infinitely harder to combat than typhus. Typhus has been brought largely under control while syphilis and tuberculosis go on killing. But the governments of eastern Europe, now that they are awake to the ravages of venereal diseases, will as economic conditions improve undoubtedly take the necessary steps and expend the necessary money to insure adequate instruction, diagnosis, and treatment to their nationals. At the present time, the people and the governments are so impoverished that they feel themselves unable to undertake more than the minimum. Yet, what they are doing compares favorably under the circumstances with the activities of western European states.

## SOME PROBLEMS OF SEX <sup>1</sup>

ANNA GARLIN SPENCER

A book bearing the title, *The Laws of Sex*, from the pen of so earnest and valiant a reformer as Dr. Edith Houghton Hooker, merits careful analysis. With her main contentions most who have studied carefully and with ethical seriousness the history of marriage, and of its dark shadow, prostitution, will agree.

In the chapter "The History of Marriage," much is taken from those who have assumed the position of independent investigation and untrammelled judgment, and her conclusions are not unlike those of Dr. Howard, from whom she quotes, and who has given us the classic *History of Matrimonial Institutions* which is a storehouse for students.

In the chapter on "The Origin and Causes of Prostitution," which Mrs. Hooker defines as "venal sex relationship outside of marriage," she leaves something to be added to the history of treatment of the movement in the United States "for the repression of prostitution and the control of venereal disease." She states that "this movement may be fairly said to begin with the organization in 1905 of the American Society of Sanitary and Moral Prophylaxis," under the leadership of Dr. Prince A. Morrow. No one could have a higher regard for Dr. Morrow's contribution to the work indicated than the present writer, but Dr. Morrow found a field ploughed, harrowed, and planted for his great work. The allusion Mrs. Hooker makes to the work of the W. C. T. U., to suffrage societies, and to the American Vigilance Association in this connection, is entirely too casual and shows a lack of appreciation of the background from which these organizations worked. The facts are that the Moral Education Societies of Philadelphia, of Boston, and of other cities obtained the first statements from reputable physicians of the

<sup>1</sup> Based on *The Laws of Sex*, by Edith Houghton Hooker, Boston, Richard G. Badger, 1922.

"healthfulness of continence" and laid the foundation for the American Purity Alliance which prevented the establishment of legalized prostitution in the United States. No history of the movement against the double standard and the writing of it into statutes can be in any way adequate which omits the pioneer history in this country. It is true, as Mrs. Hooker says, that the larger cities of the United States have had their segregated districts and a tacit "regulation" by the police with much unjust treatment of the women involved. But only those who have fought an entrenched system of acknowledged and statute-defined "reglementation" can fully appreciate what it has meant in our country to have had but sporadic and temporary legal regulation, as in St. Louis from 1870 to 1874, and to have been able during the last two decades of the nineteenth century to secure a large body of men and women working under the Committee on the Prevention of Venereal Disease and the New York Committee of the International Federation to Promote the Abolition of State Regulated Vice. As early as the beginning of the last quarter of the century our Federal Government was under moral pressure of great men and women to prevent what was apparently at that time imminent, the introduction of European methods of officially recognized and regulated vice. The Blackwell sisters, their brother Samuel, Mrs. Abby Hopper Gibbons, and the great leader of all in this country, Aaron Powell, assisted so heroically by his wife, and the workers who in the moral education societies secured the first open adherence of physicians to the social purity movement as it was then called—all these prepared the way for the later work of Dr. Morrow and his associates. The Vigilance Association, at first the Vigilance Committee, was but one of the many ways in which the American Purity Alliance worked to "repress prostitution and to control venereal disease," and what is still more vital, to help educate men and women who will not become prostitutes and therefore are in no danger of directly contracting venereal diseases.

Even the modern movement of "birth control," which Mrs. Hooker treats so fully, so frankly, so sympathetically, and on the



whole, so wisely, did not spring from the brain of the modern women's rights movement as Minerva from the brain of Jove. It was prepared for by long years of effort of many women and a few men who would have been shocked by the present open discussion of contraceptive problems. They were people who believed that sexual intercourse was for the purpose only of securing offspring and they advocated what is now commonly considered a mistaken idea of ascetic control. But such workers as Dr. Winslow with her magazine *The Alpha*, and many in other countries with similar publications, really gave the foundation for rationalization of the parental function; for it was they who banished the fairy-tale "stork," the mythical "providence," and the tyrannous "nature" from the nursery and put squarely upon husbands and wives the responsibility of parenthood.

The history of the social-hygiene movement to which Mrs. Hooker has given so much earnest effort and to which her husband has contributed so large a service has yet to be written, but no book that attempts to give material for the future historian can afford to omit some of the great contributions made by American workers before the end of the nineteenth century.

In the chapter on "The Dual Nature of Sex," Mrs. Hooker takes strong ground for the abrogation of the "custom, reinforced by law, which demands that men and women shall remain mates when they no longer love one another," as in the interest not only of personal happiness but of social well-being. The extreme statement on this point is open to some question, for experience shows that love is often a butterfly and that some sense of obligation is needed by most natures to steady affection and prevent too many excursions into new paths of sex relation. The allusion to Shelley and Goethe leads to the query as to how much indulgence the poetic nature shall expect when it seems that "inspiration from the loved one" requires many loved ones to be held dear for a short while and then discarded for others. There is something tonic and soundly ethical left out of a relation that stresses only the enjoyment of each other since so often one keeps on "enjoying" when the other sighs for "fresh fields

and pastures new" for its affection. Mrs. Hooker, however, says strong and needed words respecting the folly of entering into sex relationship without marriage and declares that "he who defies the marriage custom defies as well the welfare of the race and earns his ostracism."

Allusion has already been made to Mrs. Hooker's chapter on "The Ethical Aspects of Birth Control," and with her main contention most liberal-minded students of social conditions will agree. Her hopeful attitude toward some newer and doubtful methods of control may not be shared by many who in the main agree with her point of view.

A considerable part of the book is given to a statement of "The Present Statutes" which are "designed to restrict the commercialized aspects of prostitution." The summary leads up to 1917, by which time 42 states had enacted laws against "setting up or maintaining houses of prostitution." The statement by Mrs. Hooker that legislation enacted since 1917 is especially interesting in that it tends to hold both parties to prostitution equally guilty before the law, is especially significant coming from one who is sharply critical of failures to measure up in law and in its enforcement to the single standard of morals which she so ably advocates. Although she calls the law "a dead letter" which makes the term "prostitution" include both "the giving and the receiving of the body for indiscriminate sexual intercourse," the fact that it was passed marks such an advance upon previous ideals and legislation that most of us feel that it constitutes a milestone of progress over which we may well rejoice.

The critical aspect of Mrs. Hooker's book may well be studied with care. In the first place, many of us will feel sorry that she seems to have lost sight of the enormous advance in dealing with young men in relation to sex matters as evidenced by the work of the various bodies having in charge the sanitary and moral prophylaxis of the men in the army. To put into only a portion of one paragraph the work done under the leadership of Dr. Snow "in education and law enforcement for the purpose of

preventing the evils of sexual intercourse" is to make too slight recognition of the new element in the American care of our soldiers; an element which aroused first, scorn, second, opposition, but finally, in many cases, admiration and imitation, from the authorities of allied armies. The emphasis, for the first time in the history of wars, was placed fairly and squarely upon moral appeal, protection, recreation, and all manner of socially hygienic conditions which tend to prevent debauchery and raise the moral tone of the soldier. This is a step forward of such immense significance that beside it the holdover use of forms of prophylaxis is of much less relative importance than it is made to seem in Mrs. Hooker's statement. War is itself the most obsolete of methods by which to settle disputes, so obsolete that it has become "the sum of all villainies," being at all points a reversal of civic morality. That the late war should have again shown dependence upon "early treatment" and the use of agencies that condone by their recommendation the evil they seek to mitigate, is not the outstanding fact of the governmental procedure with our boys. The outstanding fact, and the one to be forever put in the limelight of all historic treatment, is that doctors and social workers, reformers and routine officers, united to try to make an atmosphere, even at the very front of the battlefield, that tended toward decency, toward normal living, toward respect for home and women, and toward healthful balance of nerve and muscle. This is the point that should be emphasized, in my opinion; and I am one unalterably opposed to prophylaxis of any form that suggests to young men, before their "fall," that they may be helped out of its consequences easily and safely. Nothing too strong can in my estimation be said against introducing into general civil medical practice and health provisions the "prophylactic stations" advocated by many physicians who have been overcome more by sympathy with the immediate effects of venereal diseases than by the danger of increasing those diseases by means taken which inevitably increase the number of illicit contacts.

The vexed question of compulsory examination has large and

emphatic treatment by Mrs. Hooker. The old form of compulsory examination which dealt with a prostitute not for her own good or ultimately for society's good, but to render her less dangerous to the men who next consorted with her has now few advocates. The new form of compulsory examination is placed ostensibly, and in most cases honestly, I believe, upon the general basis of the right of society to use its utmost power to stamp out preventable disease, and to render less dangerous to society diseases which have been already acquired. Having for many years urged all ethical and social reasons against the compulsory examination of prostitutes and their treatment in "lock hospitals" for the sake of giving them a clean bill of health for an expected and permitted return to their "business," I have never changed that attitude or backslidden in opposition to the monstrous injustice of counting one and the same act "venal" in one person and a negligible "slip" in the partaker in the same act. In her opposition to this age-long injustice I am in perfect sympathy with Mrs. Hooker and delight in her vigorous attacks upon what remains of the old attitude of mind and the old social practice. Where I do not go with her is in the relative importance she attaches to the unconverted leaders in the medical profession and to the still unreformed methods of police and health officials as compared with the new and strong movement to get a single standard and apply it. When one looks back thirty years to the general attitude and now sees what the medical and legal professions and even many police officials are trying to do, one is inclined to measure accomplishment by what has been achieved and is increasingly desired, rather than by the failures.

In so far as "compulsory examination" is concerned I would be ready to have all men and women so examined who were found in any commercialized house of prostitution in a "raid" or in carrying out provisions of the Injunction Law, on the ground that such is the danger of disease-carrying spots of this sort that social safety requires drastic methods. It is true that such examination carries with it some highly difficult situations. For it must be admitted that the woman convicted of making prosti-

tution her business and the man who consorts with her for an hour are usually in very different social and economic positions. He usually has a home and a paying business. She perhaps has no home in all the world, to which she is welcome, and has only her sex-trade for economic support. He can, therefore, become an "ambulatory patient" easily, while for her that form of treatment may be an impossibility. This makes it necessary for more than "justice" in her case. Philanthropy must in some way deal with her needs, and neither our general practice nor Mrs. Hooker's "program" fulfills the social and personal requirement in this case. There is need for a far more general system of compulsory examination of those dealing with food supply, those in personal service, and those who are in any way brought into close contact with the home. We may come to annual physical examination for everybody. At any rate, the one thing to fight against, in my opinion, is the sort of compulsory examination that aims not at real prevention of venereal diseases but at returning to their unsocial business, by "card of health," women who have been treated, so often wholly inadequately, for the purpose of rendering them less dangerous to their "clients."

The greatest hope now lies in the direction of mutually sympathetic and mutually helpful relations between those more radical and those more conservative in ideal and method. "Disease is not a crime," as Mrs. Hooker well says. But to subject others to danger of incurring disease is now recognized as a social offense; and the law gives to boards of health powers more drastic than any other social agency even dares to ask for. They must, therefore, be watched with a vigilant eye. But on the whole the crusade against venereal diseases now takes on a phase of similar quality to that of the fight against other forms of physical ill.

The full program which Mrs. Hooker outlines on pages 358-363, has in it too many points to be treated justly in a general article. I, for one, should like to see an institute of a week's duration set to discuss pro and con the various points of this

program. Mrs. Hooker has brought together so many of the scattering elements of radical feminism, radical moral reform, radical divorce propaganda, and radical treatment of the parental relation that she piques discussion.

Only two of the points can be alluded to here: one is the demand for "autonomous bureaus of women police," "plain-clothes women," to secure arrest and conviction of sex offenders. Taken with allusions in other parts of the book, one is led to infer from this recommendation that Mrs. Hooker feels that men cannot be trusted to work with women on equal terms in the police force and that women are practically a unit in opposition to prostitution and all its evils. In the first place if men and women cannot be educated to work together against the social evil in and through every phase of legal and police effort then we cannot work with full success against that evil. We perpetuate an idea of double standard and therefore fail to destroy a bad psychology in any attempt to place the sole responsibility upon women, of "catching" men offenders. In the second place, the new freedom of women, which for the first time in the history of Christian civilization gives women a chance to choose in sex matters, indicates that many women like to "have their fling," now that they can do so, and are not to be depended upon as a united sex to work against irregular sex associations. Mrs. Hooker herself in her chapter on "Sex as a Factor in Education" treats the Freudian element in modern thought with far less searching analysis and moral discrimination than one would expect. The tendencies which come from some of the psychoanalyst leaders, as expressed by one disciple in the saying, "men in the past have expressed themselves sexually too much, and women in the past too little," and the general idea of many young women that "life" for them, as for young men, means a wide experience in ways once forbidden to women in decent society, and the very freedom of divorce which is now accepted as necessary accompaniment of reverence for love as the basis of marriage, all have in them some sinister aspects of lowering of the standards of women to get the single standard as well as

raising that of men for the same object. And if we are to have women police, especially in "autonomous groups," let us beware setting them to detective duty too young! When London wanted women to patrol the streets for the protection of the troops passing through to the front the volunteers accepted were mothers and grandmothers, for the most part. It is to some of us appalling to see attractive girls fresh from college, perhaps from a girl's college at that, sent forth to corral old offenders of the other sex and bring them to judgment! They can do the trick, of course, with ease and celerity, but there is some danger that we destroy certain social values which would take long to replace, in such a use of young womanhood.

The second point that must be noted in Mrs. Hooker's program is that concerning the "immediate registry by name and address of all cases of venereal diseases with investigation and, if found necessary, treatment of the family, wife and children, who may have been infected." This may be the way we now have to work and, if so, to sacrifice one generation in respect to family autonomy and happiness to future generations can be defended on social grounds. It is not a process however to be lightly entered upon and any one advocating it should understand that the objections to full statement to wife and family relatives of actual conditions, a statement that would inevitably lead to wholesale marital changes and family upheavals, is not wholly one of willingness to condone men's wrongdoing. Much of the deepest social significance is in the minds of doctors, men and women alike, who hesitate to adopt this plan.

The whole situation in respect to the venereal diseases does differ profoundly from that of any other form of contagious ailment. To advocate, as one woman doctor has done, to "remove all stigma from this disease" so as to get all men suffering from it to go readily for treatment and to make all members of the families of such men, even wives, so to view the disease as to prevent the breaking up or even the unhappiness of homes, is an impossible program unless we carry with its main contention such a lowering of the standards of purity and faithfulness to

marriage vows as would make the remedy worse than the disease itself. And anything that did that would doubly defeat its end for it would work as legalized prostitution has worked, to increase the incidence of disease while trying to check it.

The one essential fact is that mankind, men as well as women, are awake to the need of dealing with this enemy of social well-being both in preventive and in curative ways. We have, as Miss Addams said, "a new conscience for an ancient evil" in so far as popular feeling is concerned. In order to make this new conscience work effectively we need a broadly tolerant spirit, a clear understanding that many may be going the same way who are not shoulder to shoulder in the marching ranks, and, above all, a freedom from sex bigotry, sex antagonism, and sex assumption of superior moral fiber.

It is not a man's job nor is it a woman's job to rid the social body of sex perversities and sex mistakes. It is for the men and women—by united effort—to make the world safe for the generations that are to come.



## SOME PUBLIC HEALTH PROBLEMS OF THE NEGRO <sup>1</sup>

FRANKLIN O. NICHOLS

*Field Representative, American Social Hygiene Association*

The object of this address is to present to this representative congress of colored social workers some figures which will indicate the prevalence of the most important diseases affecting us, some of the causes, and some suggestions that I believe, because of the nature of the church organization, may be included in its program for coöperation in the reduction of morbidity and mortality from these diseases. The time allotted me will not permit of a comprehensive or adequate discussion of public-health conditions among our people.

With a view of determining whether there was an agreement of statistics dealing with Negro morbidity and mortality, I have investigated figures compiled by some of the leading insurance companies (white), and from the registration areas. These reveal that the important diseases affecting our people are tuberculosis, the various infantile diseases, pellagra, and the venereal diseases. I regret that I have been unable to secure tables from the colored insurance companies, but in consultation with various Negro insurance leaders I find that they admit very high disease- and death-rates from these causes.

I am quoting a few figures of the Metropolitan Life Insurance Company which may be taken as an average of statistics from the various sources named. Tuberculosis is exacting a toll of about eleven times as many colored boys between the ages of ten and fourteen as white boys, and about eight times as many young colored girls as white. This disease is preëminently a disease of young persons. It is interesting to observe that after the age of thirty-five there is not much difference in the effect of the diseases in the two races. The average death-rate of our

<sup>1</sup> Address delivered at the Methodist Episcopal Conference of Colored Social Workers, Atlanta, Georgia, May 10, 1922.

babies is about 200 out of each 1000 births. As to the venereal diseases I refuse to quote statistics, for as yet I have found none that convince me that they cover a sufficient number of people to form enough of a cross-section to give reliable data. Venereal-disease statistics are most difficult to secure. However, these diseases are very prevalent throughout the whole country, affecting all classes and all races. Certainly the Negro is not escaping his share. These diseases—gonorrhea and syphilis—form the public-health menace of the present and are responsible for much insanity, paralysis, locomotor ataxia, sterility, organic heart trouble, and other pathological conditions.

The death-rate of colored people is about 16 per 1000 as compared with 10 per 1000 of white. The average length of life of a white male is 46 years, colored, 37 years; white female, 52 years, colored female, 39 years.

Knowing so well our attitude relative to statistics compiled by white organizations, and wishing to avoid any discussion that time will not permit, please understand that I hold no brief for the correctness of these statistics. Personally, in the absence of any statistics from Negro organizations, and because of the reputation of the insurance companies from which these statistics have been secured, I am willing to accept them as indicating at least a tendency. My reason for quoting comparative statistics is merely to enable you to grasp the situation. I do not consider that the difference in prevalence of these diseases is an indictment against the Negro or that the prevalence is because of race per se. After all, the important thing to know is that tuberculosis, pellagra, the infantile diseases, and the venereal diseases are alarmingly prevalent and demand the coöperation of all agencies for their reduction.

The causes of these conditions are found in ignorance of simple hygienic and sanitary measures; a fear of the physician and the hospital; environmental conditions such as poor housing, poor sanitation, overcrowding, a lack of recreational facilities, and economic competition. Large numbers of our people are moving from the rural districts to urban centers and in the process of adjustment and adaptation we are paying a toll in

morbidity and mortality. Then the overindulgence of appetites is a significant cause. I regret that my time does not permit me to elaborate this cause. For here the church may render a definite coöperation in reducing the prevalence of disease by helping to bring about a proper expression of these appetites through character development.

Our appetites are very keen and compelling. They practically color our personality. They are strong for biological ends, and with the present conditions in our environment there is always the temptation to overindulge them, which weakens resistance and thus may steer us to unsuitable behavior, ill health, and the injury of others.

In this relation I might also mention that emotional arousement as an end in itself is bound to complicate the problem of control and proper expression of these appetites. I mean the kind of emotional arousement that does not arise as the result of an inspiration based on coherence and reason, but that which merely excites the individual and leaves no method of guidance nor inspiration as to conduct, and does not therefore satisfy. This is bound to bring about undesirable reactions. Such emotionalism is not Christianity—it is merely emotional debauchery. I would not have you misunderstand me. Any religious or ethical movement must appeal emotionally, for we are emotional as well as reasonable beings, but the emotional appeal must be based on coherence and reason. It must be remembered that emotions “overlap” and that the whole emotional pattern is aroused when the machinery of one is touched.

Another cause contributing to the morbidity and mortality of colored people is that in many instances the correctional and medical measures do not function in their case. Many communities are satisfied to leave their Negro districts in unsanitary conditions. This is a vital matter because of its influence on the general public-health situation. Disease germs do not draw class, color, nor race lines, and wherever there is disease, if it is not controlled it is bound to spread. This is the nature of disease and vice.

As to the immediate help that the church may render, I should

suggest that in each church program there be a provision for a series of health lectures by competent lecturers, preferably physicians. This work should include lectures in social hygiene. Simple literature dealing with health should be distributed at these lectures. This material may be secured from the United States Public Health Service, various state boards of health, and from many insurance companies. If the churches could persuade their members to think in terms of a physical examination once a year, sick or well; if the importance of fresh air, wholesome food, and balanced diet could be impressed upon them, I am sure that the funeral bill from preventable diseases would show a gratifying reduction within a year. You may appreciate what an intensive yet simple educational effort will do by a study of the report of the Metropolitan Life Insurance Company, which has been carrying on health-educational work among its policy-holders for a number of years. In tuberculosis alone they were able to reduce the death-rate 22 per cent and to reduce the morbidity rate of Negro policy-holders from all conditions about nine per cent.

There is need for emphasis to be placed on the development and continual improvement of the monogamous home in our racial life. Indeed, there is not much hope for any people without a home life which is continually improving and developing. The home has a distinct bearing on the physical, mental, and spiritual life of a race. Here the sex factor in human life plays an important part. Indeed, the home arises from sex. Sex is a powerful force in our lives and character. It influences our thoughts and our relations and our conduct as no other quality does. It may make the life of men and women take on immeasurable richness, fineness, and happiness, or it may bring to them the most extreme and degrading disease and misery. It is the source of heightened life or a tragedy, as we ourselves guide it.

We must bring to our children a proper concept of this impulse in their lives. I would remind you that our children are born sexed individuals in whom the sex structures are already unfolding. These children are born into an environment highly and

artificially sexed. Every way they turn they are meeting sex in its many ramifications. The obligation is on the shoulders of parents, teachers, clergymen, and all others working for human richness of life to coöperate to the end that these children will receive proper guidance as to sex conduct and be taught to appreciate that this quality has much to do with their physical, mental, and spiritual development.

I would urge your attention to environmental conditions. It is a regrettable fact that in many instances the law-enforcement measures do not function equally for the races in the repression of vice. We cannot get far in the control of the venereal diseases so long as this condition exists. Nor can decent people and their children hope to escape being influenced in some way by the existence of vice, be it black or white vice.

This conference is a long step in the right direction. It reveals that the church appreciates that God does nothing without purpose; that life exists to be lived in a dynamic and buoyant manner, and that our purpose in life ought to be to develop in such ways as to bring to ourselves as individuals the richest possible life and to contribute to society the greatest possible aid in its evolution toward immortality. And in closing I urge the attention again of the delegates to the need for closer study of psychology with especial attention to the psychology of childhood and adolescence, for we must know the stuff that an individual is made of before we can hope to mold that individual's personality. We may well ask ourselves the question, "What have I to appeal to in an individual to inspire him to so conduct himself that he will be really able to live?" The development of the elements of personality means the molding of a character, —and stable character can but contribute to the reduction of conditions which injure health and destroy life.

## THE DEVELOPMENT OF CHARACTER

Knowledge of sexual matters has power only in proportion to the strength of the character that wields it, and on well-rounded character education, rather than mere knowledge of the facts, the soundest results will be based. The moral prophylaxis of syphilis is then briefly summed up in the repression of as many of the recognized agencies for the spread of the disease as possible; the making of continence a preparation for a normal sex life rather than an end in itself; the control and remedying of those influences which are making normal marriage harder of attainment; and the development of an instinctive self-control and self-discipline in every field of life from childhood up as the character basis necessary to make knowledge about sexual life and sexual disease effective.

John H. Stokes, M.D., *The Third Great Plague* (Philadelphia: W. B. Saunders Company, 1918), page 160.

## YOUNG GIRL MARRIAGES IN CRIMINAL AND JUVENILE COURTS<sup>1</sup>

ARTHUR W. TOWNE

*Superintendent, Brooklyn Society for the Prevention of Cruelty to Children*

This paper discusses marriages and proposed marriages in which the wife or intended wife is of the juvenile court age. In New York state the children's court jurisdiction reaches only through the age of 15; in many other places it extends a year or so higher. At times the husband may also be juvenile, although boys of immature years become entangled in matrimonial ventures comparatively seldom. Generally the husbands of the child wives are some years the older—sometimes middle-aged or well past that period. Unless otherwise specified, the term "child marriage," as here used, will imply the marriage or proposed marriage of young girls, especially those of fifteen and under, regardless of the age of the male spouses.

### COURT CASES

The marriages particularly under consideration at this time are those in one way or another linked up with court cases. To marry or not to marry: this is a question confronting both criminal and juvenile courts.

Before the bar of the criminal tribunal is brought a man charged with a sex offense against a young girl of grammar-school age. If his guilt can be proved, he faces the possibility of suspended sentence or probation, a fine or commitment to a reformatory or penal institution, or, in certain states, the death penalty. But, whether written into the law or not, there may be another outcome, namely, the settlement of the case by the wedding of the culprit to his youthful victim. He may seek to

<sup>1</sup>Read at the forty-eighth annual meeting of the National Conference of Social Work, Milwaukee, June 29, 1921.

compromise the affair through the tying of a nuptial knot when first threatened with arrest, or while the criminal action is pending before the police magistrate or the grand jury, or not until finally convicted and grim prison bars stare him more closely in the face. Then, if never before, he grows anxious to espouse the girl. If any other female should happen to be making the charge, he would probably proclaim his affection for her just as ardently.

The girl may have been a willing companion in the wrongdoing, or she may have been his helpless, innocent prey. She may appear only as a witness in the adult court, or also in neglect or delinquency proceedings before the juvenile court. Thus in the tribunal set apart to safeguard childhood, there likewise arises the question: shall the girl marry the man or not?

#### ILLUSTRATIVE INSTANCES

A few illustrative samples from the experiences of the Brooklyn Society for the Prevention of Cruelty to Children during the last half-dozen weeks will suffice to indicate the human make-up of the run of court cases where marriage is either urged or actually brought about.

A 25-year-old teamster enticed a 12-year-old girl to his home, where he kept her two days and violated her person. He later sought to right the wrong—or more probably to secure immunity for himself from legal punishment—by asking for her as his wife. One means of trying to advance his cause was through the use of money. Happily the girl and her parents refused to listen to his plea. Yet despite their attitude, the man's proposal found some official support when his case was up for trial.

The mother of a 14-year-old school girl lay dead in her coffin in her home over the father's shop. On the day of the funeral, a man of 27 years, possessing full knowledge of the child's bereavement, assaulted her in the shop where he had formerly been employed. He threatened that if she divulged what he had done, he would slash her body into strips. She feared to let any one know of the attack. Some weeks later he again waylaid her in a dark spot. He escaped and



kept in hiding, but through friends, sent word to the father that he would make amends by marrying the girl. The father, smarting under the shame brought upon his household, told his daughter she would have to wed the man. This she refused to do. The father then declared that unless she obeyed his command, he would put her in a reformatory until she was 21, to which the girl replied, "I would rather go to that place, because it would be for only seven years, than to live in hell with that man for the rest of my life." Nevertheless, the girl was dragged by the father to the marriage license bureau, where they met the assailant. They were about to procure a license, when detectives interrupted the plot, and the brute has since gone to prison.

A girl of 15 played truant one afternoon and visited the amusement attractions at Coney Island, where she met an 18-year-old youth of another race, whom she had never seen or heard of before. He took advantage of her. The girl's mother, upon learning the next day what had happened, became most desirous of having him apprehended, but apparently only in order to force him to marry her daughter and thereby restore the family reputation. The fellow was arrested and the girl was taken into custody as a witness. The girl's mother hired a lawyer, who presently became attorney for the young man and who through a writ of habeas corpus secured the release of the girl. Within a few days this inexperienced girl and this unemployed young fellow, who seemed to view the match as a fine joke, were united in the bonds of matrimony.

Another girl of 15 ran away and went to live in a furnished room with a 19-year-old sailor whom she had just met that day. After a few weeks he disappeared, and the girl came into our shelter in a highly neurasthenic condition, pregnant, and infected with gonorrhea. The psychiatrist, because of the girl's upset psychic condition, advised another mental examination after her child is born. The girl did not know the address of the youth, except that his family lived somewhere in a neighboring state. Although her parents had never seen him, they sought to learn his whereabouts so as to have her wed the fellow before her confinement. A few days ago the young man voluntarily reappeared and expressed the wish to take the girl out of the hospital and make her his bride. His plan was to have her live in the adjoining state with his parents who had never seen her. He is in

the navy and expects to be away in service three years longer. The matter was taken up with the authorities, who permitted the union to take place, trusting to good fortune that all will go well with the young wife (now just a few days past 16) in her new environment, while her husband is away at sea.

Three of these four girls had probably had no previous sex experience. Without the commission of the crimes with which the male offenders were charged there is no reason for believing that any of these girls would have chosen them for their life partners. Although only two of the cases have thus far eventuated in wedlock, the group is representative of the situations which, in communities where less effort is put forth by judges and others in behalf of child protection, might easily have ended in more weddings. Without constant vigilance on the part of the authorities such marriages are bound to take place altogether too often.

#### HOW THE MATCHES TURN OUT

Four other girls in our shelter during the past month or so had already been married before coming under our care. Three of these marriages had occurred through elopements and misrepresentation of age, and without parental consent. One of these youngsters, a 14-year-old girl living in eastern Pennsylvania, had eloped to Maryland with a man 23 years old, and got married "just for fun." Her reason for coming to Brooklyn was to escape ill treatment from her husband, who was reported to be a victim of tuberculosis and shell-shock. Another girl at the age of 15 had yoked herself to a worthless fellow in New Jersey, left him after a week or so, and later consorted with other men. Still another girl of 15, backward mentally, had within the brief compass of four months successively married ~~two~~ two different men in Brooklyn, separating from the first, a soldier, after ~~two~~ two weeks of monogamous life, and from the second, a sailor, after ~~six~~ six weeks of bigamous life. In the fourth case the ceremony had taken place with parental consent. Here is the story. One Thursday, a 15-year-old girl attending the fifth grade in school, met a 19-

year-old stranger; on Friday they spent the night in a furnished room; on Saturday he took the girl to his parents, announcing his intention to marry her, and then to her parents, who in order to avoid a scandal promptly gave their consent, after which the couple officially took each other for better or worse. A little over forty-eight hours intervened between the first meeting and their wedding. In less than three months thereafter, the girl came into our hands as a witness against her husband, who was charged with compulsory prostitution. During their wedded life he had worked only two or three days. He had brought numerous men to their apartment, and, according to the girl's testimony, forced her to "do wrong with the fellows so we could get money to live on."

Although none of these four matches chanced to have been brought about as forced marriages in conjunction with police actions, they bear a first-cousin relationship to them and their outcome runs true to type. Premature marriages, especially those forced through court processes, usually spell improvidence, incompatibility, non-support, abandonment, abuse, exploitation, infidelity, separation, divorce, improper rearing of offspring, and other evils.

#### EXTENT OF THE PROBLEM

All over the country these juvenile marriage questions are coming up in the courts by the hundreds each year. Just what proportion they bear to other child marriages, contracted without any court complications, is unknown.

According to the United States census of 1910, the total number of girl wives in this country, 15 years and younger, was 14,437. This included those widowed and divorced. Over 3400 were reported as under 15 years of age. The ratio of these early girl marriages was highest in the West South Central Division of the United States. (The number of boy husbands of 15 and under, including those who were widowers and divorced, aggregated 1585.) Unquestionably these statistics are an underestimate, for it is a commonplace observation that young boys and

girls, in marrying, are very prone to overstate their age. Let us not imagine these marriages occur only among our immigrant population; they are probably about as prevalent among our native stock.

#### FORCES MAKING TOWARD MARRIAGE

The compelling force among the men in these cases who seek to crawl out of their troubles by way of the hymeneal altar, is generally the fear of legal punishment. Of course other elements sometimes enter in. With the girls, there is greater variety in the contributing causes. A girl may consent to the union because of the romantic appeal of the passing moment, because of the spirit of bravado, or to avoid being "sent away"; but more frequently her uppermost idea is that since her unsavory experience has become publicly known, she is "ruined" and rendered ineligible to wed any one else. She thinks the only way to blot out this stain from her own name and that of her family is to marry her assailant, even though she loathes him. Especially powerful is this motive if she is a recent immigrant of certain racial extraction. Urging the girl to this same step are also the dark forebodings as to pregnancy.

These statements do not overlook the fact that in occasional instances there may be genuine admiration and affection, and that still other considerations now and then play their part. These statements simply point out the main currents surging in the minds of most of the men and girls, which tend to sweep them into the sea of matrimony.

The girl's parents are frequently the most vigorous advocates of a matrimonial solution. For the criminal nature of the culprit's deed and the hazardous outcome of the proposed union are obscured in their minds by the terrible blot upon their family escutcheon. Scant reflection seems to be given to the question of the fitness of the pair for wedlock or for each other. The thoughts of the parents drift along other paths: If the fellow is known as a wretched blackguard, they hope he will reform. If the girl is wild, they trust she will now settle down. If one

of them is feeble-minded or psychopathic,—well, it cannot be helped. If the man is shiftless and cannot support a wife and family, her parents will help them out. If the couple should not get along all right, their daughter can leave her husband. Perhaps, in fact, they would not let her live with him, anyway; if they think she is really too young, they would only have her marry to get a good name again, and then they will have the marriage annulled. Anything to win respectability back again!

Now and then the girl's relatives are indifferent to the whole affair; mentally defective or vicious themselves, they care not what happens to their child. The uncle and aunt with whom the orphaned girl has been residing may be glad to get her off their hands. Mothers will even sell their daughters in bondage to known degenerates of the blackest character.

A further misfortune occurs when so many public officials—judges, the prosecuting attorney, jurors, the police or others, not to mention well-intentioned private citizens, including clergymen and social workers—stand ready to lend their aid in bringing about these sorry matches. They recall, perhaps, that their own great-grandmother married at 15 or thereabouts. Recognizing the frailties of human nature, they may indulgently look upon the misconduct, charged in court, as only another outburst of the perennial spirit of romance. They have often heard it repeated that certain races embark on matrimony at a precocious age; hence they assume without challenge that it must be part of Nature's wisdom. They accept the traditional notion that the girl has become "damaged goods" and that her best chance of social salvation now lies in taking the gamble. Since the girl usually hails from one of the lower strata of society, the only alternative would probably be an institution; so they fall into the easy conclusion that because her future is so uncertain, it would not matter much after all if her marriage should turn out unhappily. If the girl or man is committed to an institution, the expense will fall upon the taxpayers, and besides it is a hard thing to condemn a man to prison. Finally, the judge is probably besieged by relatives and friends of one or both of the par-

ties, who rehearse the sterling qualities of the defendant and strongly recommend marriage.

Thus all over our country, in hosts of these cases each year, official sanction is given to testing out the magical properties of the wedding ring, despite the fact that in the great majority of these court-room experiments the outcome is foredoomed to be failure and misery.

#### APPRAISING THE ARGUMENTS

To judge intelligently as to whether a juvenile marriage should take place, we ought to look at the facts in their correct perspective, scrutinizing each case analytically. For most of the popular suppositions concerning the subject rest on unstable premises.

To begin with, much false opinion prevails as to the age at which girls are equipped for matrimony. It is not a question of how long the child has lived, but how much she has matured, physically, mentally, and socially. It is by no means a simple matter of size or of the attainment of reproductive capacity. A boy of 14 may possess procreative ability, but he is unprepared on other grounds to exercise the function. Likewise girls may be biologically capable of marriage, but at the same time be otherwise ill-fitted for its responsibilities. Puberty is by no means synonymous with adulthood, but is a transitional period, extending over several months, and ushering in a much longer period of adolescent development which may cover some four or six years before full maturity is achieved. These years afford opportunity for the ripening of physiological processes, for the stabilizing of emotional reactions, for the orientation of the individual as a social being, and for the acquiring of moral standards. Girls are obliged to undergo the strain of compressing these developmental processes within a brief compass of years, for which Nature allows male adolescents a much longer time. Just as young girls should be guarded against industrial exploitation, so they need to be protected against the handicaps and

hazards of premature marriage with its likelihood of too early maternity.

Similarly we are seldom warranted in viewing the romantic experiences of young girls as matured expressions of any real matrimonial desires. The girls have often had no opportunity for meeting or becoming acquainted with other men, and are utterly incompetent as yet to select a life-long mate. In fact, most young girls pass through a period of fairyland musings, when they dream and talk about marriage, and when they begin to respond to the attention of males, without having any real comprehension of what marriage means, or any basic feelings seriously impelling them in such a direction. Such thoughts and behavior may be only in imitation of what they observe in the motion picture theaters or among elders, and do not signify any deep sentiment or earnest intention. Very rarely does the prevention of one of these juvenile weddings cause the girl any genuine disappointment.

The use of the term "ruined" in connection with sex assaults cannot be too strongly condemned. It rests upon the ancient proprietary doctrine of parental ownership of girls. It is a false and pessimistic assumption that girls meeting with these unfortunate experiences are thereby rendered hopeless outcasts unless they marry their assailants. Very rarely is the chance of honorable matrimony at some later date wholly destroyed. The ruination idea has neither sociological nor theological justification. To declare that a single such act, participated in by a girl impulsively or in ignorance of consequences,—perhaps an outrage against which she struggled in vain,—shall blast her whole future, flies in the face of truth and fairness.

Even pregnancy is not of necessity a compelling excuse for marriage. The saving of the expected infant from the stigma of illegitimacy may be of far less moment than the saving of the girl mother and her infant, and possibly future additional babies, from much worse evils. Indeed when a very young girl has a baby, it depends altogether upon circumstances as to

whether it is best to have her keep the child. These situations require most sympathetic and skillful handling, and the recent trend of thoughtful opinion has more and more opposed the snap judgment that marriage is always the logical remedy. Such a course is generally equivalent to plunging the victim of a tragedy into still another tragedy.

The argument so commonly advanced in favor of child marriages, that we must respect the ancestral habits of foreign peoples, should not be swallowed whole at a single gulp. It may or may not be sound, according to the circumstances of the individual instance. With certain infrequent exceptions these customs are no more imperative than are the corresponding reasons advanced in behalf of a marriage when a thoroughly American girl in a small, typically American village meets a similar tragic experience. Instead of sacrificing the rights of childhood for the sake of old-world traditions, we should stand ready to sacrifice the traditions for the sake of childhood.

Those who would hark back to the days of our great-grandparents when girls more frequently married young than do their descendants to-day, forget that to keep up the supply of wives, men, much oftener than at present, replaced their worn-out spouses by wedding fresh ones, and that a new day has now dawned with respect to the claims of girlhood and womanhood. To be a grandmother at 27, as in one instance coming up not long ago, is not in keeping with our present-day sense of the fitness of things. Formerly the only honorable vocation open to women was maternity, domestic drudgery, or invalidism; to-day the girl living in America is entitled to live according to twentieth-century American standards of justice and freedom of opportunity.

The idea that parents are entitled to dictate the mating of their daughters is an outgrown theory. Children are no longer chattels. Because the family reputation has been cast under a shadow is no reason for throwing away a girl's future welfare and happiness. She should not have her career wrecked for the redemption of the ancestral tree; her life lies in the future.



In dealing with these forced marriages, are we not really facing a double standard of morality? Why should there be any more necessity, as a matter of principle, for non-pregnant girls involved in sex affairs to marry their despoilers (who are often confirmed profligates) than there is for young boys, ensnared by prostitutes, to go to live with them in wedlock? Let us have one standard for both sexes.

Of course, every marriage is an experiment, and if the girl is to wait and later marry some other man, she may even then make a miserable mess of it. But when girls get older they must of necessity be left to make their own choice. For it would hardly be practical to follow old Dr. Johnson's suggestion that all marriages be arranged by the lord chancellor. Yet in keeping with the doctrine of *parens patriae*, so long as girls are immature, the duty rests upon the state to see that they are shielded from exploitation.

No matter how humble the origin or station of a girl, her personality and welfare must command respect. In the rush of cases passing through the courts, let no official fancy that he may pass over the fate of even the lowliest child with callous indifference; indeed in proportion to her weakness and ignorance and lack of opportunity she is deserving of solicitous guidance and protection. She must not be shoved about as a pawn toward this destiny or that by some attorney hired to serve his criminal client. As Shakespeare says, "Marriage is a matter of more worth than to be dealt in by attorneyship."

Since these forced matings usually produce offspring, their effects upon the future of our racial stock and upon the welfare of the state deserve some consideration. The economic, social, and moral incompetence of most such couples to furnish their progeny a decent rearing is likely to cause various evils in the years to come. Moreover, feeble-mindedness, syphilis, and other heritable or transmissible conditions are often present either in the girl or her suitor. No one can deny the fact that most of these unions—certainly in the northeastern part of our country—perpetuate biological strains and create environmental

situations clearly unfavorable for the next generation and the general social weal. Postponement of marriage at least tends to decrease the number of undesirable offspring.

From the point of view of criminal jurisprudence and penology, the liberating of male sex offenders with a congratulatory slap upon the shoulder, provided they marry their girl victims, is unsound. It is as though the courts were to turn loose bandits and burglars who have stolen large sums of wealth, if they condescend to use their spoils in forming a business partnership with the former owners whom they have stripped of their property. Indeed, official acquiescence in some proposed marriages is little short of conniving at the perpetration of a further crime.

After thus criticizing the various arguments in behalf of child marriages, it now remains to add that each separate case, as it arises, should be inquired into with a mind open to the contrary possibility that it may on rare occasions be best to allow the marriage. No absolute standards can be laid down. Much will depend at times upon the community resources. A marriage might be most imprudent in one locality because of the vastly superior outlook presenting itself if the court can fall back upon some other disposition (as committing the girl to a reformatory, or putting her under probationary care, or inducing her family to move with her to another community), but marriage might be the best step to take in another town or state where the range of treatment is more restricted. But almost always these unions should be discouraged and combated.

When the question of a child marriage comes up in court, the presumption should be not that a marriage should take place, but that in the absence of convincing reasons for believing it would prove successful, the match should not take place. The considerations paramount in passing judgment upon the advisability of any particular child marriage are such as these: whether the two parties are really acquainted with each other and have affection for one another; whether they are physically; mentally, and morally competent to exercise matrimonial and parental functions, and whether their economic and social con-

ditions seem reasonably conducive to the maintenance of a genuine and happy family life. An answer cannot be intelligently arrived at by a snap judgment based on surface impressions or ordinary personal endorsements, but only after a searching inquiry into all the complicated circumstances.

#### LEGAL CONTROL

Let no Utopian theorist imagine that rules and regulations can ever be formulated whereby the mating instinct will be thoroughly rationalized, assuring that each match will conform to a model, thus and so. Human nature does not lend itself to any such cut-and-dried formula. Certain minimum restrictions and regulations are, however, at once desirable and practicable. Any such control must be both legal and social. As a human problem, child marriage is one naturally belonging within the scope of social work. Yet in order to apply any regulative measures with authority there must be a legal sanction. The rest of this paper will consider certain legal requirements which are desirable in order to have a better control over child marriages.

Every state exercises a certain amount of governmental supervision of marriage. The matrimonial tie is more than a contract between two individuals; it is a legalized status in which interests of organized society are vitally concerned; the state is a third party. The power to enter upon marriage does not reside in children as an inalienable right; but is to be regarded as a privilege which the state may or may not grant. No function of government is more important than that of safeguarding the welfare of minors. Wise public policy dictates that the legal control over the marriage of adolescents should be broad and authoritative.

The suggestions here set forth refer both to substantive standards and to procedure. The main regulations should be the same whether the juvenile marriage arises in connection with law-enforcing proceedings (as criminal prosecutions), or whether

the couples simply seek to be married in the ordinary lawful course of things.

(1) Under the common law, children of 7 could contract imperfect or inchoate marriage. This may be termed the minimum marriageable age. When girls became 12 and boys 14, they attained the full legal powers of adults with regard to entering upon matrimony; that is, they have reached the age of marriageable majority. Marriages entered upon prior to the seventh birthday were void; those contracted between 7 and 12 or 14, as the case might be, were voidable by court decree. In a third of our American states these common-law provisions still obtain with respect to both minimum and majority ages. In the other states, laws have been passed raising the ages at which marriageable majority, or the so-called age of marriageable consent, is reached. For girls this is in most places fixed at 16, and in some states as high as 18. Except in a few states no changes have been made in the minimum age at which incomplete or voidable marriages can occur: Unless the statutes expressly stipulate that marriages contracted below the age of marriageable majority are null and void, they are probably in most states only voidable. Even when the language of the law calls for parental consent, marriages without such consent are ordinarily regarded by the courts as binding. In other words, in over a third of the states, girls of 12, regardless of the attitude of their parents, can exercise their own free will in stepping into fully binding unions; and practically throughout the country girls even younger—theoretically those of only 7—can be inveigled into matches which must stand unless abrogated by a court. Every legislature should determine a minimum marriageable age below which any attempted matrimonial contracts will be automatically void. This age for girls should be not lower than 14 or 15. The corresponding age for boys should be no less than 16. The age of marriageable majority for girls should be not lower than 18. The corresponding age for boys should be no lower.

(2) There should be the requirement of definite proof of age, including, in addition to statements by the girl and her parents,

supplementary proof through documentary, medical, or other necessary evidence.

(3) No minor above the minimum marriageable age should be allowed to marry, without first securing a license, or without some kind of ceremony. Common-law marriages on the part of minors should be prohibited.

(4) Parental consent should be required, unless deemed unnecessary as provided in the next recommendation.

(5) Some governmental agency should look into each application and act in the light of its findings. Experience shows that parents are often incapable of exercising prudent discretion in this matter. By the same token it is sometimes imperative to deprive parents of the custody of their children because of improper guardianship. Parents, even those of good character, are frequently unfit, especially in the midst of a tragic situation, to exercise sober judgment with respect to surrendering their daughters in marriage. Certainly, in the cases now brought to the attention of the courts, it is highly important that some public authority, qualified to discharge the duty, should advise with parents, and, when necessary, overrule any actions on their part, which clearly stand out as detrimental to the safety or welfare of their children. Applicants should not have the right to demand a license whether or no, but only when the proper public officials, in their discretion, deem it right to grant the privilege. Since human rights are so intimately affected, this discretionary power should be vested preferably in some judicial authority—if possible, in the juvenile or family court.

Between the minimum marriageable age and the age of marriageable majority, no license should be issued to a girl; then, only after inquiry and approval by the juvenile or family court. This should not be in place of the parental consent, but in addition. The court should be empowered to give its approval, in suitable instances, even in spite of parental objection. In certain places, courts are already used to pass upon juvenile marriages. Two alternatives present themselves: the court may take charge of the entire business of issuing marriage licenses;

or better, it may simply give its approval or disapproval, leaving it to the city or town clerk or health officer or other administrative official to look after the mechanical phases. Assuming that the juvenile or family court is to handle these child marriages, it becomes highly important that proper methods be employed in arriving at decisions. The question before the court should not be viewed as primarily legal; it is inherently a social, medical, psychological, and ethical problem. It calls for painstaking investigation and analysis of all the varied factors, and for a broad understanding of the principles fundamental in good social service case work. This means that the court should have the aid of an efficient probation officer as well as of physicians and psychiatrists. Each case should be individual.

(6) A reasonable lapse of time, ten to thirty days, should intervene between the application for a license and its issuance. This allows opportunity for official investigation as to age and as to the propriety of the marriage, and incidentally permits the couple to repent if their application has been too hasty.

(7) No license should be issued unless a medical examination shows freedom from communicable disease. Those whose mentality is as low as the imbecile grade should be barred from marriage.

(8) The consent or objection by parents, as well as the applications of the prospective bride and groom, should be under oath as to all items. Perjury and related frauds, such as false impersonation, should be dealt with through suitable proceedings.

(9) Men who wed girls, known by them to be below the age of marriageable majority, without first securing the required parental consent and official approval, should be liable to prosecution. Persons officiating at marriages, where no marriage license has been obtained, should also be liable to a penalty.

(10) Licenses should be issued, so far as practicable, in the place of residence of the girl.

(11) Suitable restrictive measures should be enacted to check the marrying of eloping couples from other states, when their

marriages in their own state would be prohibited, and to limit the validity of such marriages if the couple directly return to their own states to live. Public condemnation should be heaped upon the marrying parsons and near-sighted justices of the peace, whose palms are forever itching for a marriage fee. One means to this end is the provision of penalties for the violation of the law on their part.

(12) All marriages should be registered.

The general scheme just set forth would greatly reduce the abuses which at present are so often associated with prosecutions for rape and similar offenses.

#### DESIRABLE ATTITUDE PENDING LEGISLATIVE REFORMS

Pending the enactment of legislation along some such lines,<sup>2</sup> criminal and juvenile courts and licensing authorities can, to a considerable extent, put into effect the basic principles here advocated. The court should not surrender the decision in these matters to the whims of the parties involved: the affairs are more than private suits to be compromised at will; they are public affairs in which the State is a participant and in which the courts, in addition to any legal responsibility, have a moral duty to perform. It is of uppermost moment that the criminal and juvenile courts should understand each other's point of view, and work in harmony. Whenever legally possible, the final say as to whether a young girl should be permitted to enter the connubial state should rest with the juvenile or family court rather than with the tribunal having jurisdiction over the male defendant alone.

Even though a carefully considered policy is pursued, watchful care will be needed lest a marriage may suddenly take place when such a turn of events is little suspected. One of the best safeguards is to see that the girl complainant in the criminal

<sup>2</sup> For a survey of existing statutes in the various states, see *American Marriage Laws*, Fred S. Hall and Elizabeth W. Brooke. New York: Russell Sage Foundation, 1919.

court is held by the juvenile court under some restraint, custodial or otherwise. In many cases this means temporary care in a detention home or some other place of safekeeping where parental ignorance and emotionalism, or the trickery and threats of the adult defendant, cannot control the situation. The proper authorities should stand ready to oppose any attempt which may be made by attorneys to bring about a marriage through obtaining the release of the girl on a writ of habeas corpus. Proper coöperation should also be sought from the police, the public prosecutor, the licensing authorities, maternity hospitals, children's institutions, and those empowered to perform marriages, and various others.

When a criminal charge stands against the man or a juvenile court charge involves the girl, and the couple are judicially permitted either to remain married or to become married, the exercise of a watchful, friendly supervision by a probation officer can often be very helpful. The juvenile court should not surrender jurisdiction over girls simply because they are wedded—in their new condition they may urgently require its guidance and protection.

#### ANNULMENTS

The matter of annulling marriages of girls under a certain age, say 18, on the ground of immaturity (legally known as nonage) has not received the attention it merits. In reality the provision that marriages may be annulled because of youth creates a legalized form of trial marriage. Here again we are dealing, not with a legal issue alone, but with a social problem which in each instance deserves painstaking inquiry, usually through home investigations, clinical examinations, and so on. Some form of social service is often called for, if the annulment is granted. These cases, as well as separation and divorce actions pertaining to juvenile spouses, properly belong within the province of the juvenile or family court. At times the girl wife, instead of being turned loose upon the community, is a fit subject for institutional treatment.



## A CHALLENGE TO EVERY STATE

In each state the subject of child marriage affords a fruitful field for inquiry and reform. Intensive case studies ought to prove illuminating. It is a topic entitled to be well up on the program of the state commissions on child welfare legislation recently created in several states. Especially urgent is it that the requisite machinery be made available to throw protection about young girls in rural districts. The task must not at first be attacked too drastically, for over-restrictive marriage laws are hard to enforce without occasioning alternative evils: after the embargo is declared, subterfuges are usually found making it possible to run the blockade. When measures of control are finally worked out they should be accompanied by satisfactory provisions with respect to such allied matters as age of consent, illegitimacy, a state-wide, really operative juvenile court system, the prompt trial of criminal prosecutions, the shielding of girl witnesses in rape and kindred adult court cases from notoriety and other exploitation in the course of the trials and in the newspapers, and the maintenance of effective standards of social case work in both juvenile and criminal courts. And equally as important as legislative changes are educational efforts to reshape the ideas of girls and their parents on the subject and to bring about a more intelligent public opinion.

## THE STRENGTH OF THE FAMILY

The family is the universal institution for supplying the necessary income to those who are naturally and necessarily dependent. Family conservation is, on the whole, the best and the only tested method of securing normal support for natural dependents. The scheme of state care for all children has never yet been tried, and the burden of proof is still upon those who would introduce it in fragments. Day nurseries and asylums and foster homes, boarding schools, and other devices for relieving the family, rich and poor, are less conspicuously successful than the family itself. We hear of the failures of individual families, but the large fact about the family is its success. The soldiers who fought the war for democracy were trained, not in the army, but in the family. Almshouses and homes for aged have no such popularity as to make them rivals for that approved institution—a dignified and honorable corner in the home of grown sons and daughters and grandchildren. Hospitals and sanatoria, increasingly important as they are to prevent infection and to give instruction and to permit delicate operations or temporary care in an acute illness, are supplements of the home, not rivals, even for invalids. Inroads have been made on the home, but its holy of holies, its inner place where the family still lives, is secure.

Edward T. Devine, "Family Welfare: Social Organization," *The Survey*, January 10, 1920.

# A STUDY OF THE VENEREAL DISEASE PROBLEM IN NEW YORK CITY

LESLEY W. FUNKHOUSER

*Research Worker, Sub-committee on Venereal Disease,  
Charity Organization Society, New York City*

Among the subjects of prominent medical and social interest to social workers during the last few years, one of the most important has been that of venereal disease. The far-reaching effect of this problem on all the phases of family and community life is coming to be realized more and more, and a demand has been growing among the workers for more widespread knowledge of the subject, together with the provision of better facilities for the handling of the problem in the community. Conscious of this need and dissatisfied with existing conditions in the city, a group of case workers of the New York Charity Organization Society instigated a movement during the past year to study the situation in detail. As a result, a Sub-Committee on Venereal Disease was created as a branch of one of the executive committees of the Society, and a special fund was provided to engage the services of a research worker who should make a complete investigation of the problem. This undertaking occupied the six-month period from April to November, 1921, and when completed, took the form of a detailed research report.

The problem was approached from three distinct angles, namely, that of the venereal-disease patients themselves as they appeared under care of the Society; the facilities available in New York City for their examination and treatment; and the present legislation affecting the situation. The material was drawn from the reading of case records of the Society where venereal diseases figured as a problem, visits to venereal-disease clinics, and interviews held with various officials and private individuals interested in the subject. These included the heads of the venereal-disease divisions of the State and City Depart-

ments of Health, the directors and district workers of several case-working agencies in the city, and the medical director of the American Social Hygiene Association. The sole purpose of this study throughout was to ascertain the main facts regarding the venereal-disease situation at the present time in New York City from the point of view of the social worker.

#### VENEREAL DISEASE PATIENTS

Especially interesting from the social standpoint was the study made of the venereal-disease patients themselves as they appeared in the case-record material of the Society. This data was obtained by means of a questionnaire sent to each District Office, asking for a list of the venereal-disease cases under care, both diagnosed and suspected. These records were all read, together with additional cases which became active while the study was in progress and all cases which had been under care in 1920. Thus the material was drawn from 364 cases covering the two-year period from October 1, 1919 to October 1, 1921. These comprise about 6 per cent of the total case load of the Society during this time. A separate descriptive card was made for each case and the final data compiled from the sum total of these.

One of the most striking facts brought out by this material was the evidence of increasing knowledge and efficiency of social workers in recognizing and dealing with the problem. Thus, in 1921, through the initiative of the Society, 64 per cent of the diagnosed cases were taking regular treatment as against 57 per cent in 1919. Follow-up work, involving a complete examination of all members of the family of the infected patient, was done in 44 per cent of the cases, as against 42 per cent in 1919; and examinations were secured for 44 per cent of the suspected cases as against 36 per cent during the preceding period. There is a noticeably increased effort on the part of the workers to secure more detailed facts regarding the patient's condition, such as source of infection, stage of the disease, etc.

However, the study clearly indicated many weaknesses in the attitude and procedure of case workers in handling this problem.

In a great many instances, because of lack of adequate medical knowledge, venereal-disease cases were not recognized as they appeared in the home, and as a result, palliative relief was given to the family and unnecessary energy and time expended in its behalf, without recognition of the underlying cause of its distress. Again, in dealing with a venereal-disease patient, the social worker often failed to place sufficient emphasis on the data regarding his condition which were especially pertinent to her work. She was much more concerned with reports from the clinic as to the result of the Wassermann test, exact dates of treatment, kind of treatment, and other factors, subject to constant change, than she was with the more fundamental facts, such as the infectiousness of the patient, possible impairment of his industrial capacity, general prognosis, etc. It is obvious that from the social point of view, these are the chief facts of value to the case worker. No doubt one of the chief reasons for the neglect to put proper emphasis on this material was due to the attitude of the social worker toward the medical authorities of the clinic from whom such information could be obtained. Too often the social worker assumed the responsibility of making a definite diagnosis of venereal disease to the doctor on the basis of social history and general external evidence. Naturally, the doctors resented this usurping of medical authority, and in many cases, justifiably refused to take a Wassermann merely upon her order. Until the social worker realizes that she is merely a scout for the medical profession, and as such, should act merely in a coöperative and suggestive capacity, she cannot expect to get the complete coöperation of the clinic in obtaining information about the patient's condition.

Statistics compiled from this case-record material show many interesting medical and social factors. It was found that the majority of cases were those of syphilis in the adult. Gonorrhea figured only very slightly as a problem, due no doubt to the fact that it is much more acute and painful than syphilis, and treatment can be effected much more rapidly, so that it is not brought, to a great extent, to the attention of the social worker. As large

a majority as 91 per cent of the syphilitic patients were in the third stage of the disease. In only 23 per cent of the cases was the source of infection known, the majority of these being marital infection of the wife from the husband. Classified by status, married couples predominated, comprising 57 per cent of the group, followed by widows, 21 per cent, and deserted wives, 9 per cent. By nationality, Italians included 34 per cent of the group, followed by Americans, 23 per cent. It was found that Negroes showed an unusually high incidence of venereal disease in proportion to their numerical prominence. The chief medical factors which appeared in conjunction with the venereal-disease condition were tuberculosis, pelvic trouble in women, involving miscarriages and stillbirths, and a general condition of debility. From the point of view of correlated social factors, it was found that immorality, alcoholism, desertion, and general shiftlessness figured most prominently. The following list of correlated social factors shows the number of instances in 244 cases in which these social factors appeared in the diagnosed patient or other members of his family:

Immorality. . . . .	121	Gambling. . . . .	17
Alcoholism. . . . .	77	Sexual perversion. . . . .	15
Desertion and nonsupport. . . . .	69	Forced marriage. . . . .	14
Shiftlessness and irregular work. . . . .	62	Domestic infelicity. . . . .	14
Impaired working ability. . . . .	57	Incorrigibility. . . . .	12
(due to venereal disease)		Begging tendency. . . . .	12
Feeble-mindedness. . . . .	53	Common-law relationship. . . . .	9
Permanent incapacity. . . . .	49	Juvenile delinquency. . . . .	9
(due to venereal disease)		Drug addiction. . . . .	7
Repeated marriage. . . . .	36	Bigamy. . . . .	7
Prison record. . . . .	35	Prostitution. . . . .	4
Illegitimacy. . . . .	33	Child labor. . . . .	3
Illiteracy. . . . .	26	Unmarried couple. . . . .	3
Court record. . . . .	26	Divorce. . . . .	2
(not prison)		Vagrancy. . . . .	1
Death. . . . .	21		
(due to venereal disease)			

The importance of the problem to the Charity Organization Society from an economic point of view was brought out by the fact that in 42 per cent of the cases studied financial relief had

to be given because of the venereal-disease factor in the situation. In 1921, 6 per cent of the patients were shown to be using private doctors, the fee for whose services ranged as high as \$15.00 a treatment. The more specialized medical tests were used comparatively infrequently. Even in 1921, a spinal puncture was done on only 8 per cent of the syphilis cases.

The following selected case stories are illustrative of the material studied:

Mr. D. is sexually promiscuous and was the father of an illegitimate child before his marriage at the age of 18. He is immoral, a gambler, an irregular worker, and very cruel and abusive to his wife. From his social history and the general condition of his health, he would seem to be syphilitic, but he refuses examination. His wife is feeble-minded and a diagnosed syphilitic, but she persistently refuses treatment. She is immoral and had one illegitimate child before her marriage. She is also quarrelsome, neglecting her children and home. Of the children, one, a congenital syphilitic, died in infancy, and another has rickets and is generally sickly and undernourished. The illegitimate child is frail, nervous, and continually subject to minor illnesses. Mrs. D. refuses any examination for the children.

Mrs. W., whose husband died, and who deserted a second man to whom she was never married but by whom she had two children, is immoral, alcoholic, tuberculous, addicted to drugs, and syphilitic. She lives with a married daughter who is a prostitute, partially blind, due to syphilis. This daughter deserted her husband and has three children. One, who is feeble-minded, partially paralyzed, and a congenital syphilitic, is in an institution for the feeble-minded. Another is feeble-minded and congenitally syphilitic, suffering also from malnutrition and heart trouble. Of Mrs. W.'s other children, the oldest, a boy, for several years lived on the earnings of a prostitute. He later married her only to desert her within a short time. The other child is mentally dull, shiftless, and an irregular worker. In this entire family group all refuse to consider examination or treatment for their syphilitic condition.

A special study was made of patients who were suspected of being afflicted with venereal disease but who refused examination though advised by medical authority of their need for it.

It was interesting to note the recurring factors in this group of patients, which furnished the basis for suspicion of infection, namely those of general shiftlessness and laziness in the men; womb trouble, including miscarriages and stillbirths, in the women; and general malnutrition, combined with a series of minor illnesses, in the children. The following cases illustrate problems encountered in this group of patients:

Mr. and Mrs. M. are a couple whose marriage was forced and who have three children. Mr. M. is a sexual pervert who has had relations with his oldest daughter. He is a gambler, leads an immoral life, and constantly deserts his family. His wife is feeble-minded, has had five stillbirths, and suffers from serious womb trouble. The doctors pronounce her a congenital syphilis suspect. Of the three children, only one is normal, the two girls being delinquent. No member of this family will consent to examination.

Mrs. C. is a widow living with and supported by two adult children, one of whom is deaf and dumb, immoral, and feeble-minded, and the mother of an illegitimate child. This daughter is a suspected syphilitic and obviously in need of institutional care, which she has always refused. Mrs. C. herself is alcoholic, a chronic beggar, and blind, this latter condition, according to medical advice, being undoubtedly due to syphilitic infection. She refuses a Wassermann test. Of her other children, one boy is tuberculous, and the other a criminal, having served a term in prison. He is now leading an immoral life.

From the study of this case-record material, it is easily seen that the venereal diseases have a vital relationship to all the phases of family and community life and that social workers are only just beginning to realize their duty and responsibility in recognizing this problem and dealing with it adequately.

#### CLINIC FACILITIES

The study of facilities for the examination and treatment of venereal diseases in the city showed a tremendous increase in the number of venereal-disease clinics from 1919 to the present time. As far as could be ascertained from a general survey, there are at present about 55 clinics and six hospitals available. No attempt was made to study this entire group in detail, but 13



clinics and two hospitals were selected from it for intensive investigation. These clinics were chosen on the basis of their extensive use by patients, as ascertained from the case-record material, and also on the basis of their efficiency, both from a medical and social point of view. They represent the best existing facilities at present for the examination and treatment of venereal-disease patients from the medical standpoint of the American Social Hygiene Association, and the social standpoint of the Charity Organization Society. The data concerning them was obtained by means of interviews with the medical director of the American Social Hygiene Association and the executive officers and case-working staff of several social agencies; the reading of case records of the Society; and visits to the clinics themselves, involving interviews with the head physician and social worker attached to each. The study was confined practically entirely to that of the syphilis department of each clinic.

It was found that in general the following rules were uniform for all the clinics:

1. Clinics are not restricted. Patients will be accepted without question from any part of the city.
2. No charge is made to patients who are unable to pay for treatment.
3. Wassermann tests are given direct, if so requested, without the necessity of having the patient pass first through the general medical clinic.
4. Wassermann tests are not taken as a routine part of the general medical examination.
5. Diagnoses concerning patients can only be obtained by letter from the superintendent of the hospital, and as such, are considered strictly confidential.
6. Treatment is given in courses, and no patient is considered discharged for a period of at least two years.

The doctors were unanimous in stating that the majority of their patients were third-stage cases. They find it difficult to secure the source and date of infection, claiming that it is practically impossible to get this information from women, and in

only about 20 per cent of the cases can it be secured from men. They estimate that an average of from 30 to 50 per cent of their cases discontinue treatment before being cured. Only a few of the clinics use the complement-fixation test for gonorrhea or the provocative Wassermann to any extent. The majority of the doctors place little faith in either of these tests. All of the clinics claim to make daily reports of their infectious cases to the Department of Health, but none of them use this agency to secure compulsory treatment for such cases.

These clinics are located all over the city and are handling a load ranging from 30 to 4000 active cases, according to the size of the clinic. They are steadily improving in their work, but still exhibit a great many weaknesses. The outstanding needs of these clinics at present are the following:

1. *Increased clinic space.* In six of the clinics there is no provision for the separation of men and women. Four have separate rooms for each, and three provide for the treatment of each on separate days. However, at best, the syphilis department of the clinic has at its disposal only two or three rooms and, in a great many cases, these rooms have to be used for both Wassermann tests and mercury and salvarsan treatments. There is rarely a separate room provided for examination and for treatment.

In this connection it should be noted that there is great need for more tables for the administration of salvarsan treatment. The majority of the clinics have only one or two such tables and this results in great congestion and delay from the point of view of the patient. In the clinics where there is no provision for the separation of men and women, the men are often treated first, so that they can get back to work. This means that the women, often accompanied by small children, are forced to wait their turn for several hours.

2. *Increased personnel.* The majority of the clinics have only one or two doctors attached to this department, and in many cases the same doctor is forced to carry the work of the skin clinic in addition to that of the syphilis clinic.

However, the chief lack in personnel is that of a social worker. Two of the clinics have no social worker and only two have more than one. It is obvious that in a venereal-disease clinic, individual attention and follow-up care is essential, and that clinics carrying from 500 to 1000

patients cannot expect to do this work successfully with only one social worker. In most of the clinics the social worker's time is so taken up with the mechanical details of record-keeping, filing, and routine office procedure, that she has no opportunity to carry out this important phase of the work. An adequate clerical force would release the social worker from such duties and enable her to devote her time and energies to the performance of her real duties. It was found that the clinics whose social worker gave attention to this necessity for individual attention and follow-up care showed the highest percentage of patients who continued under care until cured. Because of this general lack of personnel, the social agency which refers the case is often forced to see to it that the patient returns regularly for treatment, and that his family is examined, if a request to this effect is made by the doctor. Social agencies feel that the handling of this work is not their legitimate duty, but that of the clinic.

There is a need for more trained laboratory technicians. Only a few of the clinics have such full-time workers. As a result there is a great deal of delay in putting through tests and in securing the results of them.

3. *More adequate hospital facilities for the care of venereal-disease patients.* This need is especially felt in the matter of taking spinal punctures. All the clinics are dependent upon beds in the general hospital wards for this purpose, but only four made any special provisions for accommodations of this sort. As a result, doctors are not able to give spinal punctures as much as they wish and in many cases, when one is ordered, the patient is forced to wait several weeks before it can be accomplished. This, of course, means a handicap to the patient because of delayed diagnosis and treatment.

There is also no provision, except in two of the large municipal hospitals, for the admission of patients to the hospital for observation or for specialized treatment. In many cases, when the doctors have been uncertain as to diagnosis and have wished the patient to be placed under close observation, they have been unable to accomplish this. The following case under care of the Charity Organization Society will illustrate this point:

Mr. C. was in the initial stages of locomotor ataxia, and the doctors felt that his condition might be arrested if he could have regular injections of salvarsan directly into his spine. This, of course, would necessitate his admission to a hospital. From the social and economic

point of view, it might mean the chance of a complete restoration to independence and self-support. However, no hospital would make provision for a case of this sort, and it was only with the greatest difficulty that after weeks of effort a special arrangement was made to have the man admitted.

4. *Reduction of clinic fees.* The charge for salvarsan treatment was found to range from \$1.25 to \$3.00 a dose. This is almost prohibitive to the majority of patients whom these clinics handle, especially when one considers that the patient must have such treatment at least once a week for a number of weeks during each course of treatment. The charge for spinal puncture ranges from \$2.00 to \$4.00. The same argument holds true in this case.

5. *More free night clinics.* There were found to be only nine night clinics in New York City at the time of this study, and of these, only the Department of Health clinic was free. Four others would occasionally give free treatment if the patient could offer sufficient proof that he was unable to pay, but the majority of them felt that if the patient attended the night clinic he was therefore working and could provide the fee. It was interesting to note that none of the night clinics would take Wassermann tests. Thus it was impossible for a working man to secure this, unless he could take time off for the purpose during the day.

6. *More efficient record system.* Only a minority of the clinics use a special form for their venereal-disease cases. Thus they do not provide for detailed information about the social history of the patient and other special facts of interest, and this phase of the problem is often overlooked. Social workers find it difficult to gain access to the doctors with these facts.

Again, because of a confused filing system, and the lack of an experienced clerical worker in the clinic, records are sometimes lost or misplaced, so that often social workers cannot secure data which would be of importance to them in their work. In one or two instances, the loss of the patient's record has meant that the patient had to formally reënter the clinic and submit himself to a second preliminary examination before his treatment could continue.

The only provision for bed cases of venereal disease is made in two of the large municipal hospitals. These have fairly adequate accommodations both for syphilitic and gonorrheal

patients, but they will not keep chronic third-stage cases of the former more than a year. Thus it is a problem to secure provision for such patients who are in need of semi-permanent and permanent hospitalization. These hospitals also have no special social-service staff attached to their venereal-disease wards, and as patients cannot be forcibly detained in the hospitals after the infectious stage of the disease is over, they are often discharged with no recommendations for follow-up care and no advice to the effect that they should place themselves under care of a local clinic.

Although, as stated above, no detailed study was made of all venereal-disease clinics in the city, the following general information was secured about some of them:

1. Maternity hospitals are inclined to be negligent in their attention to the problem. Certain of these take no routine Wassermann or smear on their confinement cases, and others, while not negligent in this respect, make no effort to connect their positive cases with treatment clinics. These special hospitals should take the blood for the Wassermann from the placenta and from the cord of each new-born child.

2. Whereas many of the specialized clinics, such as those for the treatment of eye, ear, and throat conditions, do excellent work in correlating these conditions with possible venereal disease, there are others who neglect this problem, and even when infection is discovered, they do not refer such patients to treatment clinics.

3. The municipal hospitals handle so many cases that they have very little follow-up system and it is especially difficult to secure reports from them regarding patients.

#### LEGISLATION

The present legislation in New York, both state and municipal, affecting the venereal-disease problem, is of comparatively recent date. The two agencies in charge of the administration of these laws are the New York State Department of Health and the New York City Department of Health. The data concerning this legislation were obtained by means of interviews with the chief of the Venereal Disease Bureau of the New York State

Department of Health, and the director of the Bureau of Preventable Diseases of the New York City Department of Health; the reading of the laws of New York and the Sanitary Code of the Department of Health; and the reading of case records under care of the Charity Organization Society, which illustrate the application of such legislation.

The Venereal Disease Bureau of the New York State Department of Health was created April 30, 1918, by the State legislature (Chap. 342, Laws of 1918, Unconsolidated Laws). Its jurisdiction is definitely stated in the law as follows:

Said Bureau shall be under the direction of the state commissioner of health, who shall appoint all necessary employees thereof, and fix their salaries. Said Bureau shall be authorized to buy, manufacture, and dispense under such conditions as may be prescribed by the state commissioner of health, remedies for the treatment of venereal diseases, to examine specimens submitted to it, to make all necessary tests, provide and distribute literature, and to use other means as seem desirable for the instruction of the public and the suppression and cure of venereal diseases, and to take such further action as seems necessary to secure this end.

It will thus be seen that the work of this Bureau is largely supervisory and educational in character. It functions directly in this capacity over New York State, with the exception of New York City, whose Department of Health is practically independent. The personnel of this Bureau consists of a chief, a consultant, a surgeon, a hospital and dispensary organizer, a supervisor of education, and five lecturers on social diseases, a supervising nurse and social worker, a director and five supervisors of social work. The work of this Bureau is especially to be commended because of the efficiency of its clinics which are scattered throughout the state. These are administered by state officials, and thus have a certain legal standing which has a salutary effect on the patients and secures good coöperation from them. The Department of Health has also provided facilities for examination and treatment in all state institutions. While these cannot be taken advantage of to the greatest

degree because of lack of finances and personnel, in many cases they have been used very satisfactorily. The chief needs in the state at present are those of more adequate facilities for the hospitalization of incurable, chronic patients, and the provision for the segregation of first-time offenders admitted through the courts to hospitals for venereal-disease treatment. There are no facilities for such patients at present.

The legislation affecting the venereal-disease problem in New York City is administered almost entirely through the venereal-disease division of the Bureau of Preventable Diseases of the Department of Health. The executive staff of this division consists of one doctor and two clerks, working under the direction of the director of the Bureau of Preventable Diseases. This Bureau works independently of any state control and is absolutely responsible for the administration of venereal-disease legislation in New York City. Whereas this legislation is fairly adequate, the chief weakness in the situation is that of its enforcement. In contrast to the provision made by the state, there are few standard facilities for examination or treatment of venereal-disease patients in city institutions. In several instances it has been difficult to secure a Wassermann or salvarsan treatment for inmates at the Tombs or the work-house. Neither is provision made for such treatment at sanatoria, so that a tubercular syphilitic patient cannot be guaranteed treatment for his venereal condition at the same time that he is receiving care at a sanatorium for his tubercular condition.

The following are the chief laws which affect the situation in New York City at present:

1. Compulsory reporting of all venereal-disease cases to the Department of Health (Sanitary Code of the Board of Health, Section 88). There were 23,977 such cases reported in 1920, a decrease of 1142 cases as compared with the total number reported in 1919. The chief reason for this decrease is due to the failure of the hospitals and dispensaries to report their cases. In 1920, these reported 2572 cases of syphilis as against 6096 cases reported in 1919. On the other hand there was a fourfold in-

crease in the number of syphilis cases reported by private physicians in 1920 as contrasted with 1919. The chief single source of information with reference to the prevalence of both syphilis and gonorrhea in the city, is the Department of Health laboratory, 13,150 cases of syphilis and 1896 of gonorrhea, as shown by positive tests, having been reported during 1920. Because of the negligence of hospitals and private doctors in reporting their cases, no exact figures can be compiled as to the prevalence of venereal diseases in the community.

2. Compulsory examination, through the courts, of all persons arrested on the charge of vagrancy or immoral conduct (Public Health Law, Section 343-n). This law is well enforced. During 1920, 1378 such examinations were made as against 2238 examinations in 1919. This decrease of 38 per cent is attributable largely to the smaller number of such arrests which were made. Treatment for such cases as are found to be positive is given in a special hospital provided for the purpose, and is very satisfactory.

3. Prohibition of publication in the press or in printed matter to be carried through the mail, of advertisements regarding diagnosis, treatment, or cure of venereal disease. This is a state law and is essentially complied with (Penal Law, Section 1142-a).

4. Compulsory treatment of infectious-stage cases (Public Health Law, Section 343-m and o). The authority for carrying out this law is vested in the venereal-disease clinic of the Department of Health. However, very little action is taken on it because of the fact that so few complaints are made for its enforcement. Only one visiting nurse is assigned to the investigation of such complaints and there were only 98 such cases reported in the year 1920. According to the material presented in five cases under care of the Charity Organization Society where venereal disease appeared in an infectious form, neither forcible treatment nor forcible removal from the home was secured from the Department of Health. In one case the family consisted of an unmarried mother and one child. She was feeble-minded and immoral, having been promiscuous with several men, so that the paternity of the child was unestablished. She was a diagnosed syphilitic, in



an infectious condition, but could not be persuaded to take treatment. The baby, a congenital syphilitic, died. Although forcible measures were threatened by the Department of Health, no action was taken, and as a result, the woman finally remarried, concealing her syphilitic condition, and disappeared.

5. Compulsory examination of food handlers (Sanitary Code of the Board of Health, Section 146). The authority for enforcing this law is in the hands of the Department of Health, through its Occupational Clinic, and provides that every person engaged in occupations involving the handling of food must submit to examination and secure a certificate of health. This examination may be made either at the Occupational Clinic itself or by private doctors approved by the Board of Health. The Occupational Clinic has a staff of nine physicians and seven nurses. During the year 1920, a total of 17,143 food-handlers were examined at the Occupational Clinic, and 55,673 examinations were made by private physicians. Only ten persons were excluded by the Occupational Clinic on the grounds of an infectious syphilitic condition, and 86 persons with latent or inactive syphilis were placed on probation, subject to periodical examination. Three persons were excluded because of acute gonorrhea, and 28 were placed on probation because of a chronic gonorrheal condition.

This ordinance applies also to massage operators, but does not include barbers, as does the State Sanitary Code. With regard to this point the following case is pertinent:

Family consists of Mr. and Mrs. N. and six children. Mr. N. is a barber, sexually promiscuous. He has a violent temper and is most cruel and abusive to his wife. Mrs. N. is a shiftless and slovenly housekeeper and is syphilitic, claiming to have been infected by her husband. She has had nine miscarriages, but refuses treatment for her condition. Of the children, the oldest is shiftless and an irregular worker, the next, a boy of 25, is feeble-minded, syphilitic, and immoral, living with a married woman by whom he has one child. The boy 19 is below par mentally and an irregular worker. The next child, a girl of 18, is feeble-minded, and suffers with heart trouble. She is also a congenital syphilitic but refuses regular treatment. The boy, 13,

is unruly and quarrelsome by nature, is suspiciously tuberculous, and is also a diagnosed syphilitic, but refuses regular treatment. The youngest, a boy of 12, is sickly and undernourished. In this entire family group no regular treatment is being given to the venereal-disease condition because of the refusal of the individuals concerned. Mr. N., in view of this social history, is unquestionably syphilitic, but no action can be taken to force an examination under the present laws although he is a barber and may be a public-health menace.

6. Domestic Relations Laws. The New York State Law contains two provisions on this subject, which have a definite bearing on the venereal-disease problem. The first is contained in a clause in the affidavit for a marriage license (Domestic Relations Law, Section 15), and reads as follows:

I have not to my knowledge been infected with any venereal disease, or if I have been so infected within five years, I have had a laboratory test within that period which shows that I am now free from infection from any such disease.

A visit to the Marriage License Bureau revealed the fact that the value of this clause is very slight. Applicants do not even sign a definite answer but merely subscribe to it by affixing their signature at the bottom of the affidavit. It does not appear to be read to them by the clerk or brought to their attention in any way.

According to the case-record material included in this study, there were a total of eight marriages occurring in New York after 1917 (the date of the incorporation of the venereal-disease clause in the affidavit for a marriage license), between persons one or both of whom were infected with venereal disease and conscious of their condition but concealing it. Legally, these persons were guilty of perjury by subscribing falsely to the venereal-disease provision in the affidavit. However, no action has ever been taken along this line. In one definite case, not only was it known that a woman was taking treatment for venereal disease and was contemplating marriage, concealing her condition from her future husband, but this information, with all identifying

facts, was reported to the Marriage License Bureau with a request that special care be taken that this couple should not secure a license. Even in view of these precautions, the license was secured without any difficulty, and the couple were married.

A second provision is found in the New York State Domestic Relations Law, Section 7, as follows:

A marriage is void from the time its nullity is declared by a court of competent jurisdiction, if either party thereto consents to such marriage by reason of force, duress or fraud.

In this connection it is interesting to note that in one definite instance an annulment has been granted by the court and a decision rendered as follows:

A marriage is void on the ground of fraud, where one of the parties at the time of its celebration is afflicted with a chronic, contagious and hereditary venereal disease known to and concealed by him. (*Svenson v. Svenson*, 178 N. Y. 54.)

The jurisdiction of the court to annul such a marriage is not acquired by the provision of any statute. It arises from the inherent jurisdiction of the court to set aside any contract when one of the parties was induced to enter into it by fraud (*Fisk v. Fisk* (1896), 6 App. Div. 432, 39 N. Y. S. 537). This case should furnish a valuable precedent for similar action in the future.

7. The only federal law directly affecting the venereal-disease problem in New York City is that contained in the U. S. Immigration Law, providing for the exclusion of any person afflicted with a "loathsome or dangerous contagious disease." (U. S. Immigration Law, Section 3.) This provision is enforced by means of the examination at Ellis Island of immigrants showing suspicious symptoms of venereal disease. On the arrival of every vessel a group of doctors from the U. S. Public Health Service enters the ship, examines the crew and obtains from the ship's doctor any information concerning patients with suspicious symptoms. Each immigrant is later examined by the Admission Board consisting of three doctors for women and six doctors for men, who order a patient with suspicious symptoms

to the hospital for observation and tests. If these tests prove to be positive, the immigrant is automatically ordered to be deported immediately. If the disease is in the infectious stage, the patient receives compulsory treatment in the hospital. If the disease is not infectious, treatment is optional, but the patient remains in the hospital pending deportation.

The venereal-disease problem at Ellis Island is complicated because of the fact that the original examination of the immigrant is rather superficial, due to the congestion and the lack of adequate personnel. According to the medical records and the statement of the hospital social service worker who was interviewed, out of about 1200 immigrants examined daily, only about 50 are admitted to the hospital for observation, and of these, only one or two are suspicious venereal-disease cases.

There is also a provision in the Immigration Law providing for deportation within five years after entry of any alien who at the time of entry was a member of one or more of the classes excluded by law (i. e., afflicted with venereal disease), or of any alien who within five years after entry becomes a public charge (U. S. Immigration Law, Section 19). Thus, theoretically, it would be possible to deport an immigrant who was found in this country to be afflicted with venereal disease but who passed the notice of Ellis Island officials at the time of entry. However, this is most difficult to accomplish, inasmuch as it is practically impossible to prove that the venereal-disease condition was not acquired after entry into this country.

An additional help in securing a stricter supervision of venereal-disease cases is contained in the law providing that a fine of \$200 must be paid by any steamship company which lands an immigrant who is found to have venereal disease (U. S. Immigration Law, Section 9).

#### CONCLUSION

In addition to these main facts, several other specific weaknesses in the situation were brought out by this study. Chief among these is the lack of facilities for institutional care of congenitally syphilitic dependent children. Many children's homes

will not accept such children. Not only that, but in one case, one of these institutions refused to accept a child for admission who had been syphilitic, but who had been cured by treatment, and had a definite medical statement to this effect. There is also no provision made for such children in private institutions which are subsidized by the city. Of the other available homes, so far as can be learned, there are only three which will take these patients. They provide for treatment in neighboring hospital clinics. The following cases illustrate the difficulties encountered by this fact:

An eight-year-old girl was afflicted with congenital syphilis which had resulted in chronic hip trouble. She was committed through the Children's Court to an institution. No Wassermann was taken upon her admission and all efforts to secure examination, to say nothing of treatment, were of no avail, in spite of the fact that before her commitment she had been taking treatment regularly at a local clinic, and a written diagnosis of her condition was submitted to the authorities of the institution.

In another case it was only possible after weeks of intensive effort to place a child eight years old who was the illegitimate daughter of a woman suffering from both syphilis and gonorrhea, and who was herself a congenital syphilitic.

Another difficulty is found in securing the admission of syphilitic patients to convalescent homes for temporary care. Even when the patient has a statement from the doctor to the effect that he is in a non-infectious condition and is in no way a menace to his fellow patients, it has been impossible to prevail upon such institutions to accept him. Again, according to the experience of the Charity Organization Society, it is difficult to secure action from the Society for the Prevention of Cruelty to Children in the interest of children, unless the individual in question has open lesions. The following cases are pertinent in this connection:

An illegitimate child was feeble-minded and had interstitial keratitis, for which her parents refused to allow her to take treatment. The other children in the family were all sickly, undernourished and con-

genital syphilis suspects, but their parents would not allow them to be examined. Both parents presented symptoms themselves of being syphilitic, the father being shiftless and lazy, with a gastric ulcer and cellulitis, and the mother being immoral, shiftless, and a chronic beggar. Though the Society for the Prevention of Cruelty to Children was invited to assist in the interest of the diagnosed congenitally syphilitic child, no action was taken.

A second case consisted of an unmarried mother and a five-week-old baby. She was immoral, alcoholic, and a thief. She had a four plus Wassermann at the time of confinement but refused treatment. Her baby was undernourished and neglected, with all the symptoms of congenital syphilis. However, she refused to allow it to be examined. Although this case was reported to the Society for the Prevention of Cruelty to Children, no action resulted.

It is obvious from these facts that there are serious weaknesses in the venereal-disease situation in New York at the present time. These include chiefly, as already stated in detail: the inefficiency and lack of knowledge on the part of social workers in handling individual patients under their care; the inadequacy of venereal-disease clinics and hospitals, with respect both to their facilities and personnel; and the difficulty in securing adequate enforcement of the legislation which exists to cover the problem. However, it is encouraging to note the advance, even in the two-year period covered by this study, in results accomplished. Social workers have undoubtedly improved both in the knowledge of the social and medical factors involved and in the manner in which they have secured proper attention for the patients under their care. There has also been an encouraging growth in the number of venereal-disease clinics, and in their service to patients. It is to be hoped that constructive thought and action will continue on this problem so that the general situation may be improved throughout the country.

# SAMPLING PUBLIC OPINION<sup>1</sup>

LOUIS JAY HEATH

*Assistant Director of Educational Work*

*United States Public Health Service*

The United States Public Health Service, with the coöperation of various state boards of health and the American Federation of Labor, recently sent out a questionnaire on the subject of prostitution and the treatment of prostitutes. Copies were sent to mayors of large cities and to central labor union secretaries. The mayors were asked to distribute those which they received to chambers of commerce, bank presidents, women's organizations, chiefs of police, and representative citizens of their own selection. The secretaries of central labor unions were requested to distribute those which they received to members of different labor unions represented in the central body.

The letter which accompanied these questionnaires not only invited a frank expression of opinion but also offered, as an additional inducement to frankness, the opportunity to omit names if desired.

A total of 1707 questionnaires were returned from 572 cities. The classification of these replies, according to occupation, follows:

Representatives of amusement trades.....	27
Bankers. . . . .	89
Representatives of building trades.....	356
Representatives of chambers of commerce.....	84
Chiefs of police. . . . .	127
Representatives of clerical trades.....	15
Representatives of culinary and provision trades.....	58
Federal, state, and municipal employees.....	74

<sup>1</sup> *Editor's Note.*—It is important to remember in connection with these questions and answers that this inquiry is confined to the health aspects of prostitution and eliminates from consideration, with no intention of minimizing their importance, all the other relations which prostitution bears towards society, the family, and the individual.

Representatives of metal trades. . . . .	169
Representatives of mining trades. . . . .	47
Representatives of needle and textile trades. . . . .	15
Representatives of printing trades. . . . .	76
Representatives of transportation trades. . . . .	164
Representatives of women's organizations. . . . .	84
Miscellaneous. . . . .	283
Occupation not given. . . . .	39
Total. . . . .	1707

## I

The first question asked was as follows:

*The Public Health Service and the state boards of health believe that open houses of prostitution are a menace to public health and should be abolished in every community. Do you agree with this point of view? (Yes or no.) Why?*

The replies to this question were:

Yes. . . . .	1172
No. . . . .	494
No Answer. . . . .	41

It is significant to note that among the 1172 who voted "Yes," 104 representatives of the transportation trades voted "Yes" to 54 who voted "No." 108 chiefs of police voted "Yes" and only 15 chiefs of police did not subscribe to the public-health point of view. The metal trades voted 90 "Yes" to 72 "No." Carpenters voted 103 "Yes" to 44 "No," while representatives of the combined building trades gave a total of 215 "Yes" to 131 "No." The printing trades voted 42 "Yes" to 33 "No"; the mining trades 32 "Yes" to 15 "No."

One Illinois miner answered that he agreed with the Public Health Service, "because the life of a prostitute is short and her place must be filled when she dies, and being the father of two girls I would not want mine to fill a vacancy, and I think all parents think the same." A Colorado carpenter answered, "Yes. Because there is no justification for it and it cannot be defended.



The woman engaged in such business may not be my wife, mother, sister, or daughter, but she is somebody's wife, mother, sister, or daughter. It is a violation of all law."

One chief of police answered that he agreed, "because open houses of prostitution breed disease, crime, increase the number of prostitutes, corrupt the morals of the community, and are a menace to the youth of the country." Another, "The only reason I have ever heard advanced in favor of houses of prostitution is that they protect innocent girls. I am opposed to sacrificing any woman to benefit others." Another, "Yes. The prostitute is one of the greatest menaces to any community and why leave an avenue open for young men and women to ruin their lives as well as the lives of children yet unborn?"

A printer in Utah wrote, "Yes. The existence of open houses of prostitution, even where visited by comparatively few, contaminate the whole community, degrade the thoughts and conversation of all classes of society. Official toleration of such places gives them a certain standing amounting almost to approval." A molder in Wisconsin answered, "Yes, because it lowers the morals of patrons of houses of prostitution, leads to divorces and breaks up the homes of children—and a hundred other things not fit to mention."

A citizen of California answered, "Yes. Inmates of houses of prostitution cannot be successfully examined for venereal diseases; also the open house creates a demand that must be filled by our young girls. Segregation does not segregate." Another, a citizen of Florida, replied, "Yes. Because open houses of prostitution put the state in the position of authorizing and protecting vice and this should no more be done than to establish a zone in the cities in which murder may be lawfully committed." From an engineer in Nevada came the reply, "Yes. I believe they are disease incubators." A banker in Minnesota answered, "Yes. Advancing civilization has demonstrated the weakness of the old theory and there is no valid argument in favor of prostitution."

These replies are typical of the 1172.

## II

The second question dealt with the alternative point of view:

*Or do you believe that there should be open houses of prostitution in your city? (Yes or no.) Why?*

The replies to this question were:

No. . . . .	1149
Yes. . . . .	445
No Answer. . . . .	113

Of 151 carpenters replying to this question, 37 favored open houses of prostitution as against 107 opposed to such houses. Representatives of transportation trades voted 101 to 49 against open houses. Of 127 chiefs of police replying, only 14 favored open houses as against 108 opposed to such houses.

The following are a few of the typical replies to this question:

No. Because they cannot be controlled. (Carpenter, Florida).

Prostitution is not a necessary evil, hence why increase its growth or maintenance? (Indiana citizen).

No. Because no way has yet been devised whereby such places can be controlled to prevent the spread of disease. (Minnesota citizen).

No. Because I do not want a daughter of mine in one. (Carpenter, Indiana).

No. In order to fight the diseases, open houses of prostitution must be abolished. This is where the fight should begin. (Bookkeeper, Illinois).

No. For the same reason that I do not favor licensing murderers, burglars, thugs, and white-slavers, or any other immoral proposition. (Cigarmaker, Illinois).

No. I believe in cleanliness in my city. I have a family. (Barber, Connecticut).

No. Because to admit that there should be, would be to admit that an evil is good, and that is unscientific. (Wood-carver, California).

The representative of a women's organization in Indiana replied, "No. Chiefly because I have three girls and two boys.

These houses must draw from some mother's children—why not mine? If open houses are tolerated, we countenance them and sanction their place in society.”

A postal employee in Alabama struck the same note. “No. If it is to be, then the females must come from some home and I am not willing for my sister to be one. Are you?”

A sheet-metal worker in Indiana replied, “No. Because venereal diseases and the miserable business of prostitution which spreads them cause disability, wrecked lives, and insanity among men, invalidism and sterility among women, blindness, deformity, and idiocy among children.”

### III

The third question was as follows:

*Or do you believe that there should be a segregated district<sup>2</sup> in which prostitutes should be allowed to ply their trade? (Yes or no.) Why?*

The replies to this question were:

No. . . . .	944
Yes. . . . .	707
No Answer. . . . .	56

In considering the answers to this question, it is significant to note that 105 chiefs of police voted “No” as against 16 voting in favor of the segregated district, and the reasons advanced by those opposed to the segregated district lend additional significance to the figures.

Some of the characteristic replies indicative of public opinion on this question are as follows:

The worst possible policy that could be tolerated in any city with which I am acquainted is segregation. (City attorney, Indiana).

<sup>2</sup> *Editor's Note.*—By confining this inquiry to the health aspects of prostitution it is possible that a number of persons were misled in answering this question in the affirmative because they were ignorant of, or did not consider the social wreckage such districts produce.

As reasonably segregate smallpox or diphtheria and allow those who frequent the segregated district to cohabit with the victims and returning mingle with their intimates without disinfection. (Pennsylvania banker).

No. A segregated district never segregates. It may segregate some women but it never segregates the men who carry infection to the innocent. (Representative, women's organization, Georgia).

No. Segregation, it has been proved, is no answer to the question. (Retail clerk, Illinois).

No. Because they are crime-breeding districts. (Electrical worker, Indiana).

Absolutely no. I think they should be wiped off the face of the earth. (Secretary of a central labor union, Indiana).

No. I believe the general view as to this being a necessary evil to be absolutely a fallacy and that the human being who has not the control of self in this respect should be placed under restraint for the protection of society as a whole. (Theatrical stage employee, California).

No. There can be no such thing as a real segregated district. Vice spreads through contiguity and there must be districts adjacent to the area segregated. Legalized vice is one of the greatest crimes against humanity and as such should receive no countenance. (Miner, Idaho).

No. Segregated districts have been tried and have been found to fail. If given a segregated district, this does not insure them of being free from disease. (Miner, Illinois).

No. It does not mitigate the evil to segregate it. (Labor organizer, Illinois).

No. Believe in virtue, not vice. (Citizen, Massachusetts).

No. The segregated district is a temptation for somebody's boy and a snare for somebody's daughter. (Citizen, North Dakota).

No. Don't believe in segregated crime. (Missouri chief of police).

No. They are places for breeding of disease and making of criminals. (Massachusetts chief of police).

No. Might as well segregate murder. (Pennsylvania chief of police).

No. Moral leprosy should be eliminated, not segregated. (New Hampshire citizen).

No. Because for 32 years I have been on the police corps and have seen so much I hope I will never see houses of prostitution open again. (Virginia chief of police).

No. Besides degrading the morals of the entire community they spread the most terrible and disgusting diseases to the innocent as well as the guilty. There never was a clean and safe house of prostitution and never can be. (Printer, Utah).

These replies, typical of the 944, indicate how the public has been educated to the menace of houses of prostitution and to the failure of the so-called "policy of segregation" to solve the problem.

#### IV

The fourth question asked was:

*Do you believe that all prostitutes and their patrons should be treated alike <sup>3</sup> (subjected to a thorough medical examination to ascertain if they have a communicable disease and if found infected, placed under strict surveillance until disease is no longer communicable)? (Yes or no.) Why?*

The replies to this question were as follows:

Yes. . . . .	1520
No. . . . .	110
No Answer.....	77

Of the number answering "Yes," 321 were representatives of the building trades. Only 19 representatives of such trades answered "No." Culinary and provision workers voted 45 to 2; metal trades, 144 to 13; transportation trades, 144 to 16, and chiefs of police, 117 to 3.

One chief of police gave as his reason for answering "Yes," "I believe that the diseases which prostitutes and their patrons have are more dangerous to the public than smallpox, and still

<sup>3</sup> *Editor's Note.*—Here again the "treatment" referred to in this question means medical treatment and does not cover preventive, correctional, or rehabilitative social treatment.

we quarantine smallpox." Another, "No rules can be too strict in this matter, as the health of some innocent person may be affected by coming in contact with some other person having a venereal disease."

An Indiana miner answered, "Yes. What is the difference whether a child inherits one of these diseases from its father or its mother?" An Illinois molder, "Yes. Any one that has any respect for humanity should be willing to wipe out disease and it cannot be wiped out if only one side is being looked after." An Arizona printer, "Yes. Absolutely. To protect the innocent ones who are trapped by both male and female profligates; to protect the unborn child that is oftentimes born of such parents, and the innocent bride who suffers."

The representative of a Massachusetts women's organization, in answering "Yes," gave as her reason, "Morality and health of the public have no sex." Another, "Female prostitutes rarely marry, but the male prostitute does marry, usually a pure girl. She and her children are the sufferers." "The public good requires that every possible means should be employed to cure and prevent the spread of venereal diseases," wrote a New York citizen. A South Carolina printer wrote, "Yes. Sauce for the goose is sauce for the gander." A Rhode Island machinist, "Yes. Because we believe that both sexes are equally susceptible to communicable diseases."

A Mississippi carpenter wrote, "Yes. I believe the examination should apply as rigidly to males as to females, but the male is more likely to communicate the diseases to victims who in their innocence may never know of the fact that they were diseased." A Minnesota engineer, "Yes. By no means should a person be allowed to spread a communicable disease. Male and female both should be treated." The secretary of a Montana trades and labor council answered "Yes. Disease could then be controlled. A rotten egg broken in a dish with a good one makes two rotten ones."

## V

The last question asked was:

*Or do you believe that only female prostitutes should be so treated? (Yes or no.) Why?*

The answers to this question were:

No. . . . .	1413
Yes. . . . .	121
No Answer. . . . .	173

Representatives of building trades voted 299 "No" to 31 "Yes." Clerical trades voted 13 to 2. Representatives of culinary and provision trades voted 52 to 4. Representatives of the metal trades 138 to 11; mining trades 43 to 3. The printing trades voted 63 to 9; transportation trades 125 to 10. The needle and textile trades voted 13 to 2, and 104 chiefs of police voted unanimously "No." Representatives of women's organizations voted 75 "No" to 1 "Yes." The largest number of those voting "Yes" was found among the painters and barbers, but here the vote stood respectively 55 "No" to 10 "Yes" and 39 "No" to 10 "Yes."

A large number of the 173 who did not answer the last question voted "Yes" on the fourth. Many who filled out the questionnaire evidently considered that a positive answer on the fourth was equivalent to a negative answer on the fifth. This accounts for the increased number of those listed as not answering.

A sergeant of police gave as his reason for answering "No," "I do not believe in establishing one standard for women and another for men along this line." A chief of police wrote, "No. Because both sexes can spread venereal disease." Another, "No. A square deal for all and special privileges for none." "I believe that the suppression of venereal diseases is the paramount duty of the nation to-day," wrote one citizen. Another, "The idea of scorning a girl that has fallen and winking at a man because he got away with it is to my mind at the bottom of much of the

evil. Both are human, and if it is wrong for one sex it is wrong for the other."

One hundred fifty West Virginia miners answered, "No. We don't believe it would be just to show respect for persons in this matter." A Utah printer answered, "No. Female prostitutes contaminate only the guilty. Male prostitutes contaminate the innocent. It is far more important that the male prostitutes be under surveillance until free from the disease." A South Carolina printer, "I regard the male more dangerous than the female because he is freer to go and come and 'carry'." A representative of a women's organization in Massachusetts wrote, "No. If only one were to be examined, and treated, it should be the patron, since the prostitute harms only the patron while the patron may harm numbers of innocent women and children."

"Both," wrote a Massachusetts merchant; "I see no reason for favoritism. It's a poor rule that won't work both ways. I am not strong on the 'woman tempted me.' I believe that man helps 60 per cent to his own fall." "Why discriminate?" asked one correspondent. "The patron is as much a menace as the prostitute." "What has sex to do with the problem?" inquired another. And a California plater answered succinctly, "No. 50-50."

## VI

The 494 who disagreed with the point of view of the Public Health Service that open houses of prostitution are a menace to public health and should be abolished, advanced almost invariably the old arguments with which those experienced in the problem of commercialized vice have long been familiar—arguments which that experience has disproved.

With open houses you can watch and examine them and control the spread of disease. (President, chamber of commerce).

It is next to impossible to abolish prostitution. Almost as well try to abolish hate or make love mandatory by legislation as try to control the oldest emotion known to civilization. (Manager, chamber of commerce, Massachusetts).



No. As long as human nature remains as it is, prostitution will continue; therefore, regulate it as best you can. If you close the houses you drive it elsewhere. (Ohio banker).

Not entirely. This appears to be a necessity and I believe that recognized houses are the lesser of two evils. (Business manager, Virginia chamber of commerce).

No. Because it is a necessity like a sewer and keeps a lot of people out of trouble. Otherwise some good girl would be ruined. (Arkansas banker).

We should not advertise to the public that our women sell themselves for this purpose. Aside from that I believe that the control of venereal diseases can be more nearly accomplished by having open houses of prostitution. (Idaho banker).

To have open houses means protection for decent women. (Carpenter, Connecticut).

No. Because they are naturally required. (Barber, Illinois).

No. Because prostitution has always flourished and the abolition of houses only scatters prostitutes who ply their trade everywhere and encourages the spread of disease. Furthermore, they come into contact with girls who are often led astray by scattered prostitutes. (Mining engineer, Arizona).

In brief, the arguments were: "Houses of prostitution are necessary evils." "Prostitution is a necessity." "Without prostitution some good girl would be ruined." "Medical supervision and periodical inspection is the practical solution." "The segregated district decreases crime by enabling police supervision of a recognized crime center." "Safeguards against sexual perversion by providing an outlet for the unrestricted appetites of men." "Protects boys and young men from contact with the prostitutes by removing temptation from the streets and residential districts." "Decreases prostitution by legislation." "Protects the community from demoralizing and detrimental proximity of prostitution." "Decreases graft in connection with prostitution and the exploiting of prostitutes."

A large number of those who expressed themselves in favor of the segregated district based their opinion upon the mistaken belief that periodical medical examination of prostitutes would

protect the patrons from venereal diseases. Many stated that segregation and regulation have been tried in Europe and have proved successful.

To these, Resolution Number Five, arising out of the proceedings of the North European Conference on Venereal Diseases, is an answer:

This conference, having considered the general measures for the combating of venereal diseases which have been adopted by the participating countries is unanimously of the opinion, so far as the experience of these countries is concerned, . . .

5. That the legal and official toleration of professional prostitution has been found to be medically useless as a check on the spread of venereal diseases and may even prove positively harmful, tending as they do, to give official sanction to a vicious traffic.

The countries participating in this conference (May 20-25, 1921) were England, Finland, Germany, Holland, Norway, Sweden, and Denmark.

The old myths have crumbled, but progress toward the elimination of venereal diseases can be made only as rapidly as education and knowledge of science become more general. Those who believe in regulation and periodical medical examination of prostitutes in most cases sincerely believe that by this method venereal diseases can be eliminated and many of our social evils prevented. Education has not been diffused. They do not know that these methods have been tested and found unsuccessful, but, to quote an independent periodical:

The last excuse for the red light has gone glimmering. And the red light is slowly but surely being dimmed. Little by little public opinion has been educated, inch by inch commercialized vice is being forced from its vantage ground of political power, and slowly but irresistibly, sanity and decency are winning.

Of course . . . it is a long hard fight we are making and . . . complete victory is far in the future. Long after we have routed the most crude and vicious forms of prostitution, many remnants of this old curse of mankind will remain. For generations there will be

men with uncontrolled appetites, and women to keep them company, but when political power and commercialized profits are taken from prostitution we then have to deal only with individuals seeking gratification, and that is, after all, an individual question.

## VII

A large number of those replying supplemented their answers with letters. These are worthy of quotation at length. Limitation of space, however, prevents the inclusion of more than a few excerpts.

A representative citizen of Georgia said in part:

Since the time the government, on account of Macon's proximity to Camp Wheeler, closed up the segregated district here, there has been, as far as I am able to learn, far less prostitution and disease than before. No one whose opinion is worth considering desires a return to the old conditions. Perhaps real-estate speculators, a few of them, may, but public sentiment, on the whole, is against it. Conditions are still open to criticism, but formerly they were vile.

The government venereal disease clinic did great good here and it is a thousand pities there is not a clinic for venereal diseases in every community.

A representative of the International Brotherhood of Pulp, Sulphite, and Paper Mill Workers in Wisconsin, wrote in part:

I have brought this to the attention of all the union men here and I believe that this must have the attention of every man and woman that has the welfare of the people at heart.

I say that any man that has a son or daughter cannot in honesty to himself or to his neighbor ignore this terrible evil any longer.

I think the trouble with most of our men is that they have considered this a joke.

If you are able to get one man's interest in every central labor union in the United States, you will be doing a great service to the people.

I do not believe that there is any cure for this except by teaching the men the terrible effects of this evil.

I shall be very glad to be of any service to you that I can. If you have anything that will help to check these diseases I most certainly will bring it to the attention of all the union men in this locality.

If encouragement were needed by public health officers it could be found in plenty in some of these letters. "This is a great move in the right direction," wrote an Ohio banker; "no other disease in the world does so much damage." The owner of a department store in an Ohio city said, "More power to the educational activities of your department." A local of the International Molders' Union in Alabama added: "We can boast with pride of having as fine a body of men in our local as any organization has and we stand ready at all times to give support to any good measure that will tend to uplift and do good to all. Yours for better conditions at all times."

A citizen of Massachusetts wrote:

My observation and experience have led me to believe that the diseases arising from prostitution are among the worst afflictions of the human race and can be controlled.

I have no patience with the plea that prostitution is necessary as a protection for our women from rape, etc. Living in a town where the Perkins Institute and the Massachusetts School for the Blind are located, I see daily on the streets the innocent victims of the diseases caused by prostitutes. This last phase is to my mind a sufficient reason why no expense should be spared to mitigate the effects of prostitution, and to this end I believe that prostitutes and their patrons, as well as any one suspected of being tainted, should be placed under the strictest surveillance.

An Arkansas carpenter wrote, "Being a resident of one of the world's greatest health resorts for such diseases and seeing so much of it here, it certainly gives me great pleasure to see our great nation begin to wage war on such a menace to our present and future generations, and I am willing at any and all times to render all my assistance in helping to stamp it out."

A Mississippi carpenter answered, "No. I regard this work, the eradication of venereal diseases, as the greatest work that the

federal government has ever instituted. It will be of great benefit to the whole nation."

It remained for a superintendent of police in a Nebraska city to sound the call to high endeavor: "We must face this problem resolutely, frankly, and fearlessly, molding public opinion as we go, but never turning back on the program started by the government during the war."

## BOOK REVIEWS

THE LAWS OF SEX. By Edith Houghton Hooker. Boston: Richard G. Badger, 1921, 373 p.

The keynote of Mrs. Hooker's book is a profound belief in progress, not several generations hence, but now, provided we can have sound, constructive thinking. The book is timely; the impetus of the early movement which involved breaking the long conspiracy of silence has spent itself, and the need for a new program is evident. Women were welcomed early into the movement but perhaps with the unconscious proviso that they be followers and not leaders. In Mrs. Hooker's book we have perhaps for the first time the full presentation of the woman's point of view unhampered by any fear of what might be the average opinion as to how much progress is feasible.

The first chapter, "The Present Anarchy," is excellent. It is a clear-cut statement of the problem and insists that the problem be brought within the realm of human justice in fact as well as in word. First it maintains that it is not enough to teach the simple facts of sex, but that sex must be taught on its affirmative side, from the standpoint of its value and not simply by repression. Secondly it brings out that the mere affirmation of a lack of belief in a sexual necessity for men while all measures dealing with the problem concede the principle must be analyzed clearly and faced. If such a necessity exists, there must be justice toward the women who serve it. If no such need for male promiscuity does exist our methods of procedure must be based on the concept that a clean sex life is possible.

The second and third chapters deal with the history of marriage and of prostitution. Mrs. Hooker presents Westermarck's hypothesis that mating, not promiscuity, characterized primitive man, to controvert the general belief that prostitution is too fundamental a human institution to be eradicated. Whether Westermarck is right or wrong, it is clear that there is no proof that prostitution is such a fundamental instinct, nor is there any other example where mere antiquity of custom is considered a sound argument against the reason of preventive medicine. A brief history of prostitution and the steps of the modern movement for its repression follows. She reviews regula-

tion and its failure, the closure of the brothels, the marked development of medical knowledge concerning venereal diseases, the new phases of clandestine prostitution, the educational campaign which is perhaps largely offset by the widespread introduction of prophylaxis, and concludes:

An analysis of the causes of prostitution, however, indicates that the substructure of this institution in the social order is gradually approaching dissolution. The growing demand for economic justice, the rise of women to spiritual and temporal power, and the relaxation of prejudice against legitimate divorce and birth control, bespeak the dawn of a new day in the relation between the sexes.

Until the twentieth century the responsibility for prostitution was supposed by the public and the police to rest mainly with dissolute women. They were assumed to act the part of temptress and the brutal repressive measures that were held against them were held to be justified on the grounds of their brazen wantonness. The dogma of the sexual necessity exonerated men from public resentment, but served, of course, to perpetuate the social evil by preventing the operation of law against those who financed prostitution. By a curious lapse of reason men were excused for indulging in illicit sexual relations on the ground of their naturally promiscuous instincts, but the necessary association of women with such congress was overlooked and the individual prostitute came under the ban of public opinion. Within the past decade the unreasonableness of this attitude has been permeating the public conscience, with the result that society is no longer as ready as formerly to grant men an opportunity for the indulgence of their sexual passions at the expense of women. By degrees the prostitute is coming to be regarded more as a victim than as a source of masculine profligacy. Credence in the sexual necessity is gradually being replaced by the demand that men as well as women shall recognize their sexual responsibilities to the race through the institution of marriage.

The barbarous doctrine that prostitution is necessary to protect good women from the promiscuous instincts of men is slowly giving way to the belief that monogamy represents the natural expression of the sexual life of both men and women. The relation of the economic situation to the problem of prostitution is still, however, but dimly understood.

The section on birth control is one of the strong chapters. It is preceded by the theme of the dual nature of sex, with the demand for a thorough co-education of the sexes and the economic independence of women in order that marriage shall be based on genuine friendship as well as on the sex instinct. Mrs. Hooker recognizes that Raymond Pearl's studies on the laws of the increase in population demonstrate that the human race must think concerning the problems of reproduction instead of trusting to instinct. In point of fact, the teaching of birth control may yet become compulsory instead of

illegal. The whole discussion on birth control is well done; it includes a plea for a careful study of better methods.

Chapter IX, on "The Fallacies of the Present Method of Control," is one of the strongest and most original in the book. The medical profession has taken up the slogan that venereal diseases are now a part of public-health administration, not a moral issue. Mrs. Hooker counters with the demand to know why, and in what other realm, does the medical profession have complete knowledge of an absolute preventive of disease and nevertheless advocate a palliative system. Its position is even worse from a logical standpoint in that it advocates a partial palliative system of isolation and punishment in lock hospitals for a few women while ambulatory and secret treatment is given to men. Mrs. Hooker asserts that a public-health measure must give an adequate and direct protection to the families of the men involved, as well as offering as it now does a partial protection to the men. Moreover this must be regardless of the power and position of the men. Perhaps the present position of the medical profession in this regard brings out more strongly than any other issue, how almost negligible is the contribution of that part of the profession in active practice to preventive medicine. Prophylaxis, the palliative measure at present most prominent as a substitute for preventive medicine, is analyzed from its educational influence and ultimate results and deserves most careful study and discussion.

The chapter on the education of children is excellent; it accepts the importance of Freud's emphasis on the supreme power of early impressions and advocates early, repeated and full instruction of children. It may call for more insight and more knowledge than most parents possess, certainly it calls for a reconstruction of the views of many adults toward sex.

The point which has been and will be most criticized in the book is the appeal for more legislation to deal with the problem. This criticism has especial force at the present time when many are losing what faith they had in the power of laws to lessen drinking. Mrs. Hooker's belief in a revision of our laws dates from her experiences in running a home for unmarried mothers mentioned in the preface, when she saw the effect on the minds of young boys of laws which actually formulated a lack of belief in the possibility of sexual morality. The strong point in her position and the point which her critics do not see is that she advocates as a preliminary to direct



legislation against vice, a genuine liberalization of our laws and customs concerning marriage and divorce. She stresses early marriage, marriage as a contract, and divorce by mutual consent without legal difficulties. After such liberalization with reference to marriage she advocates laws based on the concept that male promiscuity is the cause of the social evil and is an offense against the race. She advocates the fundamental principle of scientific medicine, that is the search for fundamental causes. She believes in the educational value of law.

It is clear that Mrs. Hooker advocates that the same type of clear thinking that applies to other problems be brought to bear on the problem of the social evil; that we learn to live by reason instead of by instinct; that we recognize the value of sex and that its shame is the abnormal, not the fundamental side; that the medical profession think clearly on the problem in terms of preventive medicine; that children be taught with wisdom; and that women receive a real and not a pseudo-justice; in short, that women have a real share in the leadership in this movement. It is in reality a book for the leaders in the social-hygiene movement; it points out the next steps; it is constructive; to some it will seem too advanced, but its logic will win out.

FLORENCE R. SABIN, M.D.

**HOUSING CONDITIONS OF EMPLOYED WOMEN IN THE BOROUGH OF MANHATTAN.** A Social Study by the Bureau of Social Hygiene with the Coöperation of an Advisory Committee. New York: The Bureau of Social Hygiene, 1922. 163 p.

This study, made under the direction of Dr. Katharine Bement Davis, with Dr. Hester Donaldson Jenkins as assistant director, and an advisory committee, was undertaken to supply answers to questions concerning the effect of the housing situation upon the self-supporting girl and woman. The broadening in the use of the term social hygiene, which has occurred in the United States in the last few years makes this study a logical one to be undertaken by the Bureau of Social Hygiene, and the seriousness of the housing situation in Greater New York renders it a timely one. Family housing has been the subject of many investigations by various organizations, but data and statistics on the subject of the present study have not been gathered previously.

Fifty-eight organized homes in the Borough of Manhattan, ques-

tionnaires filled out by 9460 employed women, and data furnished concerning 9060 other women who had applied for rooms at the Registries, studied before January 1, 1920 and April, 1921, from the sources of material. The groups studied included employed women in stores, offices and factories; business and professional women; employed colored women.

The published report possesses the value attaching to a pioneer work in its field, aimed toward solving a difficult and pressing problem, and carried on under scientific auspices with scientific methods. Its seventy-three pages of tables adequately supplement the eight chapters of text.

Certain general conclusions reached by the Committee are presented:

First: Notwithstanding the admirable and at this time undoubtedly necessary work done by organized and subsidized homes, this method of caring for employed girls is economically unsound. Even were it desirable to meet the housing situation in this way it would be absolutely impossible to secure benefactions adequate to the needs.

Second: Rooms registries are a most important agency making available to the employed women clean, comfortable, and safe quarters. They likewise serve a useful purpose in bringing respectable lodgers to householders who are in a position to rent one or more rooms, as well as to available professional rooming-house keepers. They are as yet in no case even approximately self-supporting. They need further standardization, coöperation, and above all, publicity. Many a girl who has been led by newspaper advertisements to take a room undesirable from considerations of both health and morals, has not known of the existence of such a helpful agency. Undoubtedly further development will lead to reduction of costs, but for the immediate future such agencies must be supported largely by private contributions.

Third: The great desire on the part of the majority of employed women is a home of their own. This was shown in every group studied.

The greatest contributions to the whole problem of women's housing lie along the line of experimentation as to what can be done to provide one- or two-room suites with bath and kitchenette either in houses containing only this type of apartment or in houses or tenements containing also larger suites. The solution of the question will be reached only when such apartments can be built and rented within prices which can be met by the various employed groups and still net say five per cent on the investment. Location and transportation facilities must also be considered.

The problem is not an easy one to solve.

R. H. E.

CHILDREN BORN OUT OF WEDLOCK. By George B. Mangold, Ph.D.  
Columbia, Missouri: University of Missouri, 1921. 209 p.

The sociological study of illegitimacy prepared by the author is undoubtedly the most valuable and comprehensive contribution made so far in estimating and defining the actual status of children born out of wedlock.

Dr. Mangold has scrutinized with care the social forces at work which tend to produce this problem; the questions submitted by the author are pertinent if we hope to deal effectively with these problems: to wit, the need of ascertaining the causes at work; the discovery of the most effective methods of caring for the mother and the child; the type of legislation which will offer a real remedy; how to create a sufficiently constructive program of prevention—all must be considered seriously if we may hope for an alleviation of the present unhappy state of affairs.

In his discussion of the causes and conditions underlying illegitimacy, the author points out certain interesting sociologic factors which play a rôle in the production of illegitimacy; in countries where family life is largely absent—for example, certain parts of South America and British West Indies—over one half of the births are illegitimate; in some of the European countries where pre-nuptial relations are viewed with complacency, especially in the case of men engaged in military service, there is a pronounced increase in illegitimate births. The chief cause as observed by the author, is due to ignorance and low ideals; this fact was established beyond doubt in the studies of some of the prostitutes made by the social-hygiene group, but we should approach the study of each individual with an unbiased mind, for it is folly to generalize until we have considered all of the social and psychological factors that may play a part in the production of any manifestation of asocial behavior. Certain it is that factors such as lack of home training, overcrowding, unwholesome recreation, drunkenness, and suggestibility do play an important part. More difficult to define in terms of causation, is the rôle played by occupation, and although many studies and comparative tables have been compiled, it is unsafe to generalize since it is not possible to estimate how far these occupations showing a higher incidence of illegitimacy tend to attract women of low standards.

The inclusion of a chapter on commercial agencies for the care of the mother furnishes the reader an interesting glimpse of conditions as

they exist in maternity homes, and it is to be hoped that the report of the studies by the Wisconsin Vice Committee may create sufficient impetus to stimulate similar studies in other states.

The emphasis placed by the author upon the value of the child as a medium of solution is important, for too much stress cannot be laid on the constructive elements found in the suitable placement of the mother with her child.

Of social interest is the author's chapter concerning "the outcome of the child," and his presentation of the facts concerning the municipal hospitals, rescue homes, maternity hospitals, and various other child-caring agencies, showing the very evident discrepancies and lack of coördination revealed in these studies, may furnish a new impetus toward the formation of a more constructive program for the care and adjustment of this important social group. This, together with the discussion of possible legislative and preventive social measures would seem to furnish the reader with an intelligent estimate of the problem.

MARION E. KENWORTHY, M.D.

### BRIEFER COMMENT

THE DIRECTION OF HUMAN EVOLUTION. By Edwin Grant Conklin. New York: Charles Scribner's Sons, 1921. xiii+247 p.

This volume consists of a series of lectures under the terms of the John Calvin McNair Lectureship at the University of North Carolina on the mutual bearings of science and religion upon each other. It is divided into three parts: 1. Paths and Possibilities of Human Evolution; 2. Evolution and Democracy; and 3. Evolution and Religion. Dr. Conklin, like other students of the theory of evolution, does not quarrel with theology. Recognizing the prominent position of evolution in modern science and philosophy, he attempts to forecast the possible tendencies of the racial process both politically and religiously. In view of the present revival of interest in the question, Dr. Conklin's book comes as a sane and vigorous defense on the part of a more moderate biologist against the misinterpretations of the anti-evolutionists.

JOSEPHINE BUTLER AND HER WORK FOR SOCIAL PURITY. By L. Hay-Cooper. London: Society for Promoting Christian Knowledge, 1922. 160 p.

Josephine Butler is known as a pioneer of the social purity movement. To those who are interested in a well-written biography of her, and also in the development of social purity work, this book of Hay-Cooper's will be a worthwhile reference.

READINGS IN EVOLUTION, GENETICS, AND EUGENICS. By Horatio Hackett Newman, Ph.D., professor of zoölogy, University of Chicago. University of Chicago Press, 1921. 523 p.

This compilation is a very laudable attempt to select from the great wealth of biological literature, ranging from the classic naturalists to the contemporary eugenists, the most representative passages, arranged to give a complete survey of the field in one textbook. Professor Newman has supplied introductory statements, connecting passages, editorial criticisms, and summaries.

LIFE: How IT COMES. A Child's Book of Elementary Biology. By Stephen Reid-Heyman (Mrs. Laurence Parsons, M.D.). Oxford: Basil Blackwell, 1921. xiii + 174 p.

Not so much an adaptation of biology to children as the taking of a biological arrangement, *i.e.*, that of evolution or systematic classification which is possibly, but doubtfully, suitable for high-school or college people and treating it in language which children can understand. While the presentation seems clear and reasonably accurate, it is doubtful whether the matter is arranged in a sound, pedagogical order for the early approaches of the child mind.

THE STATE AND SEXUAL MORALITY. London: George Allen & Unwin, Ltd., 1920. 77 p.

The report of the Committee of Inquiry of the Association for Moral and Social Hygiene of England is devoted to the question of legislation and remedial treatment dealing with the social evil and venereal disease in accordance with scientific knowledge and fundamental morality. It also considers what existing or proposed legislation the Association could support, and methods other than legislative by which not only individuals, but associations, institutions, and the government itself, might promote sane and healthy sex relations.

## BOOKS RECEIVED

*Under this head the JOURNAL OF SOCIAL HYGIENE lists books received which do not fall sufficiently within its field or are not of sufficient importance to its readers to warrant comment.*

ARMY ANTHROPOLOGY. C. Davenport and A. Love. Washington: Government Printing Office, 1921. 635 p.

PSYCHOANALYTIC STUDY OF PSYCHOSES WITH ENDOCRINOSES. D. W. Fay. Washington: Nervous and Mental Diseases Publishing Co., 1922. 122 p.

ESSAIS DE CRITIQUE CONSTRUCTIVE. NOUVELLES ÉTUDES SUR LA SYPHILIS. E. Leredde. Paris: A. Maloine, 1921. 444 p.

SKIN AND VENEREAL DISEASES. O. S. Ormsby and J. H. Mitchell. Chicago: Yearbook Publishers, 1921. 243 p.

PSYCHOLOGY OF THE BOY. F. A. Servante. London: Gay & Hancock, 3rd Ed., 1921. 86 p.

MAN—THE ANIMAL. W. M. Smallwood. New York: Macmillan, 1922. xiv + 223 p.

OPIATE ADDICTION. Its Handling and Treatment. E. H. Williams. New York: Macmillan, 1922. 194 p.

## ABSTRACTS OF PERIODICAL LITERATURE

MENTAL DEFECT AND SOCIAL HYGIENE. By L. N. Burnette. *Public Health Journal*, Vol. xiii, No. 2, February, 1922.

In Canada the extent to which mental deficiency exists in an average community has been definitely determined in relation to children of school age only. Careful studies show that the percentage of mentally deficient school children is not less than 2.5. It is said that these data are sufficiently representative to hold good for the general population. If every mental defective became antisocial, the problem of prevention would be simplified, because a definite diagnosis of mental defect would be in effect a social prognosis. But within the mental defective group itself it is only a minority which is responsible for most of the damage. The author sums up the situation by saying that society suffers most from those whose defects are not apparent on the surface. This type adjusts or maladjusts itself to social laws and moral codes with no other help than blind chance. When these handicapped individuals are brought to light, it is always after damage has been done, and diagnosis can do no more than point out the reason for careers of inefficiency, prostitution, vice, and crime. Those who are inherently incapable of social adjustment constitute only a minority of the total defective class. The majority could be saved from errors in judgment if they had training, guidance, and supervision. No single plan will solve a problem as complex as that of human conduct, but the training and supervision of the defective will reduce the present cost to society enormously.

A SOCIAL ASPECT OF THE UNMARRIED MOTHER. By Alice D. Menken. *Journal of Delinquency*, Vol. vii, No. 2, March, 1922.

The author feels that a comprehensive plan for the standardization and humanizing of social service on behalf of the unmarried mother and her child should be speedily developed. We must emerge from the unsound method of thinking that the unmarried mother should be treated in a distinctly different manner from the married mother. As a rule the unmarried mother is not a prostitute, although she may be driven to become one by the unsympathetic attitude of society. In a study made by the author, of 306 women (first offenders) who were

convicted of prostitution and placed on probation in the Women's Court, Borough of Manhattan, New York City, the interesting fact was established that only 19 of the women were pregnant and only three of them, as unmarried mothers, proved to be unfit to retain their children. The study just mentioned covered a period from 1914 to 1920. Of 247 who received a physical examination, 122 had a venereal disease.

Miss Menken emphasizes the fact that in the cases where the mother is not physically or mentally or morally unfit, she should be influenced to keep the child. The coöperation of a maternity home or hospital should be enlisted during the prenatal and confinement periods, and the patient should remain until her sense of maternity as well as her body is strengthened. In closing, the author says:

When uniform legislation shall protect the illegitimate child from its birth; when the man, though he carries no badge indicating unmarried paternity as does the woman, shall not escape from parental responsibility; then our social service toward the unmarried mother may be further strengthened. . . .

THE SCHOOL PROGRAMME AND SEX EDUCATION. By Peter Sandiford.  
*Public Health Journal*, Vol. xiii, No. 2, February, 1922.

Sex education involves: 1. Training in right habits; 2. Development of proper attitude and ideals regarding sex; and 3. The imparting of information. The parents are and should be the first teachers. Their work is necessarily supplemented, however, by the teacher with whom the child comes in contact a great deal in its developing life. It is essential, therefore, that the teacher needs certain distinct qualifications in order to teach the immature mind on the subject of sex. According to Bigelow, the following classes are not fitted for this purpose:

1. Those who cannot talk calmly and dispassionately on the subject.
2. Those with an abnormal outlook on life, who are too readily influenced by psychopathic literature.
3. Insufficiently informed people who tend to stress the abnormal in their presentation because of hasty preparation.
4. Those who are pessimistic as a result of unfortunate personal experiences.
5. Those of flippant attitude and questionable ethical behavior who cannot command the respect of their pupils.

The author concludes with the following statement:

But whatever methods of sex education be adopted, the prime necessity of inculcation of right attitudes and proper ideals should never be forgotten. With these things secure, everything else follows naturally.

MEDICAL SERVICES MONEY CANNOT BUY. By H. E. Kleinschmidt.  
*Medical Review of Reviews*, Vol. xxvii, No. 2, February, 1922.

The physician, especially the venereal-disease physician, is often confronted by situations which require the utmost tact and consideration, as well as judgment. After giving a number of illustrative cases, Dr. Kleinschmidt points out the following guiding principles:

The psychological reaction of the patient should be anticipated and respected. Whereas bluntness may stir one individual into action, it may crush another of more sensitive fiber.

The physician must bear in mind the effects his answers may have on the family and social relationships of his patients. The right answer involves an understanding of the mental makeup of the patient's relatives as well as the patient.

Finally, the physician must always consider the possible effect of his answer on public health. Social obligations are to be considered as well as professional ethics. There is no such thing as a privileged communication when the health of others is endangered. The practice of medicine can be made a commercial enterprise or a profession, according to the motive of the individual physician.



## NOTE AND COMMENT

**SYPHILIS AND STILLBIRTHS.**—The American Medical Association correspondent in Paris sends in a report of a recent meeting of the Congrès annuel d'hygiène, held at the Pasteur Institute. Dr. Couvelaire, professor of clinical obstetrics in the Faculté de médecine of Paris presented a paper on stillbirths. In France, fetuses are not classed as stillbirths even though born dead, unless they have entered upon the seventh month of the gestatory period. This classification applies also to fetuses that die during gestation or parturition and children who die within three days after birth, the time within which, according to law, births must be reported to authorities. Published statistics, therefore, do not indicate the full social importance of the problem of stillbirths. The following figures for 1920 are compiled by the French bureau:

### FRANCE

Births of children declared as living.....	834,411
Births of children declared as stillborn.....	38,641
Proportion of stillbirths. . . . .	4.6 per cent

### PARIS

Births of children declared as living.....	55,813
Births of children declared as stillborn.....	4,024
Proportion of stillbirths. . . . .	7.2 per cent

Since Couvelaire introduced in his service the custom of giving the Bordet-Wassermann test to all prospective mothers, the proportion of fetal deaths traceable to syphilis has risen to nearly 50 per cent of the total number of cases. Of 233 cases of fetal death due to syphilis, three had been treated for from four to six months, 29 had been treated in a very irregular fashion, 28 had not been treated at all, and 173 cases were due to old syphilitic infections that had not been treated because they had not been recognized. Aside from the physical condition of the mother, syphilis is also a causative factor in premature births. Of 84 cases in which children prematurely born died before the tenth day, 17 cases, or one out of five, were referable to syphilis in the parents.

**NATIONAL RESEARCH COUNCIL SPONSORS RESEARCH IN SEX PROBLEMS.**—The need for scientific research in the field of sex has long been recognized by scientific workers, physicians, and educators. With the coöperation of the American Social Hygiene Association and the Bureau of Social Hygiene, Earl F. Zinn was delegated to investigate the possibilities of a research program in this field. The matter was placed before the National Research Council, with the result that the program has been taken over by the Council.

A committee of five representative scientists has been appointed by the Division of Medical Sciences of the Council to be in charge of this work. The committee personnel is as follows:

Dr. Robert M. Yerkes, formerly professor of psychology, University of Minnesota, now chairman of the Division of Research Information, National Research Council, Chairman.

Dr. Walter B. Cannon, professor of physiology, the Harvard Medical School, Harvard University.

Dr. E. G. Conklin, professor of biology, Princeton University.

Dr. Katharine Bement Davis, director, Bureau of Social Hygiene.

Dr. Thomas W. Salmon, formerly medical director, National Committee for Mental Hygiene, now professor of psychiatry, College of Physicians and Surgeons, Columbia University.

Dr. Victor C. Vaughan, former dean of the Department of Medicine and Surgery, University of Michigan, and now chairman of the division of Medical Sciences, National Research Council, ex-officio member of committee.

Earl F. Zinn, executive secretary.

The purposes of the committee are to determine the status of scientific knowledge in this field; to determine what research is now in progress in this and other countries; to secure from scientific workers, physicians, and educators, statements of the major problems on which more data are needed; and to make a thorough survey of research facilities, including trained workers who are interested in some phase or phases of this topic.

It is the committee's plan to aid scientific workers in their investigations in this field.

An appropriation of \$25,000 has been secured to carry on this work after July 1, 1922. With this money the committee will subsidize as many researches as possible.

Concerning the nature of the research, the Committee emphasizes the fact that it is interested in fundamental scientific studies and is endeavoring to lay the foundation for a prolonged scientific inquiry.

## SOCIAL HYGIENE BIBLIOGRAPHY

Compiled by

JANET F. MELVAIN

*Executive Librarian, Library of the Common Service Committee*

- American Public Health Association. Report of committee on venereal diseases. *American Journal of Public Health*, May, 1922, p. 400-403.
- Argentine. Against the regulation of prostitution. *International Woman Suffrage News* (London), May, 1922, p. 116.
- Australia and venereal disease prevention. *Medical Officer* (London), May 6, 1922, p. 188-189.
- BARTHOLOMEW, P. H. Control of venereal diseases. *American Journal of Nursing*, May, 1922, p. 618-621.
- British Association of Dermatology and Syphilology. *Archives of Dermatology and Syphilology*, April, 1922, p. 494.
- BROGDEN, M. S. Importance of social service in the prevention and control of venereal diseases. *Hospital Social Service*, May, 1922, p. 295-303.
- BROWN, F. E. Life problems of social hygiene. *Public Health Journal* (Toronto), April, 1922, p. 161-173.
- The rôle of the nurse in a campaign against venereal disease. *Canadian Nurse* (Vancouver), March, 1922, p. 143-149.
- BURKE, E. T. The efficiency of the venereal disease clinic. *Public Health* (London), Feb., 1922, p. 125-129.
- BURNETTE, N. O. Mental defect and social hygiene. *Public Health Journal* (Toronto), Feb., 1922, p. 69-75.
- DEACON, W. J. V. Venereal disease. Michigan Department of Health. *Public Health*, March, 1922, p. 491-496.
- Divorce in Denmark. *Survey*, April 8, 1922, p. 49-50.
- Federal allotments to states for coöperative venereal disease work. U. S. *Public Health Reports*, May 5, 1922, p. 1086.
- GOLDBLATT, M. E. The history of juvenile court laws in New York state. *Journal of Delinquency*, Jan., 1922, p. 24-42.
- HARMAN, N. S. Venereal diseases as causes of blindness. *Health and Empire* (London), March, 1922, p. 33-34.
- HENRY, L. M. Measures necessary to reach infected women and children. *Health and Empire* (London), March, 1922, p. 31-33.
- HOLLAND, E. A note on syphilis and the still-birth rate. *Health and Empire* (London), March, 1922, p. 34-35.
- Housing in relation to venereal disease. *National Health* (London), March, 1922, p. 166-167.
- Impasse in social hygiene. *Survey*, May 13, 1922, p. 234.
- International Bureau. Report of the March 3d meeting. *Vigilance Record* (London), March, 1922, p. 17.
- International convention, 1921, on the traffic in women and children. *Vigilance Record* (London), Feb., 1922, p. 9-10.
- KLAUDER, J. V. Syphilis and trauma; the Workmen's Compensation Act, the industrial physician and the syphilitic employee. *American Medical Association Journal*, April 8, 1922, p. 1029-1037.

- KNOWLTON, M. Social hygiene campaign in rural communities. North Carolina State Board of Health *Bulletin*, Dec., 1921, p. 12-16.
- MARCUS, KARL. Education measures against venereal diseases. *Nation's Health*, April 15, 1922, p. 197-201.
- MARSH, E. H. The rôle of the public health nurse in the attempt to control venereal diseases. New York State Department of Health, *Public Health Nurses' Bulletin*, March, 1922, p. 17-19.
- MOORE, E. L. "How life begins." *Public Health Journal* (Toronto), April, 1922, p. 158-160.
- NASCHER, I. L. The possibility of the ultimate eradication of venereal disease. *American Medicine*, March, 1922, p. 174-179.
- New Jersey's fight on vice. *Survey*, April 8, 1922, p. 37.
- New legislation for the control of venereal diseases in Roumania and Jugo-Slavia. *Lancet* (London), March 18, 1922, p. 549-550.
- New venereal disease legislation in Germany. *Medical Officer* (London), April 29, 1922, p. 182.
- Plea for sex education. *Vigilance Record* (London), Feb., 1922, p. 11.
- RITCHIE, T. F. The Western European conference on venereal diseases. *Health and Empire* (London), April, 1922, p. 38-39.
- ROBERTS, W. F. The venereal problem in large towns and small cities. *Public Health Journal* (Toronto), Feb., 1922, p. 63-68.
- ROUTH, A. Syphilis and its relation to pregnancy and infant life. *Health and Empire* (London), March, 1922, p. 29-31.
- SANDIFORD, P. The school programme and sex education. *Public Health Journal* (Toronto), Feb., 1922, p. 59-62.
- SCHARLIEB, MARY. Hygiene and women's work. *Journal of State Medicine* (London), March, 1922, p. 113-117.
- Sex education. *Public Health Journal* (Toronto), March, 1922, p. 118-120; April, 1922, p. 174-176.
- Sex education for boys. *The Child* (London), March, 1922, p. 174.
- SMITH, SIR LINDSEY. Measures for the control of venereal diseases in Sweden. *Health and Empire* (London), April, 1922, p. 37-38.
- STELLA, A. The immigrant and the health of the nation. *Medical Times*, May, 1922, p. 137-144, 148-152.
- STILLIANS, A. W. Campaign for the prevention of syphilis. *Illinois Medical Journal*, April, 1922, p. 268-271.
- Syphilis, ancient and modern, in Persia. *Medical Record*, April 22, 1922, p. 671.
- THOMSON, A. N. Management of a venereal disease clinic. *Modern Hospital*, April, 1922, p. 375-376.
- Venereal disease and continuous treatment. *Lancet* (London), Feb. 25, 1922, p. 384-385.
- Venereal diseases in Scandinavia. *American Medical Association Journal*, April 29, 1922, p. 1296.
- Venereal diseases in Toronto. *Public Health Journal* (Toronto), Feb., 1922, p. 78-80.
- WALKER, K. M. The influence of circumcision on the incidence of venereal disease. *Health and Empire* (London), April, 1922, p. 40.
- WHITE, E. L. Venereal disease. *Medical Officer* (London), March 18, 1922, p. 113-115.
- WOLBARST, A. L. The unmarried mother and the Wassermann reaction. *Hospital Social Service*, May, 1922, p. 281-288.

# Journal of Social Hygiene

VOL. VIII

OCTOBER, 1922

NO. 4

---

## RELATIONS AND DUTIES OF PUBLIC HEALTH NURSES AND SOCIAL WORKERS IN THE DIAGNOSIS, TREATMENT, AND CONTROL OF SYPHILIS

EDITH SHATTO KING

*American Association of Social Workers, New York City*

The work of prevention and treatment of syphilis presents, on the one hand, a purely medical problem in which apparently doctor and nurse are becoming increasingly interested, and on the other hand, an important social problem which is engaging the attention of social workers, such as family, child welfare, and protective organizations. There is also a growing recognition of the intimate relationships of the two. An alarming percentage of handicapped individuals now under the care of social workers are infected with this disease, and if its effect on the community and the race are to be eradicated in the next few hundred years, the social worker, whether he wants to or not, will be obliged to do his share in efforts for prevention and treatment. In some instances he will become a propagandist in a general educational program for prevention, and possibly as often as the public-health doctor or the public-health nurse. There are examples of all three specifically and professionally

engaged in educational work against this race menace, in departments of health, social-hygiene societies and other community health agencies.

Yet there is apparently a woeful lack of understanding of purpose or even knowledge of one another on the part of some nurses and doctors on the one hand and some social workers on the other. Possibly we may look for a better understanding in the future because of the improved instruction now given in the training schools of both groups. I believe that all the best schools now recognize both—the nurses' training schools, the necessity for some knowledge of social facts, the social work training schools, of some medical knowledge for every worker, with specialization for those entering medical social work.

In developing my subject I found one important point of contact for the social worker and the medical workers, both nurse and doctor. This was in the clinic. Clearly there must be real team work at this strategic point if the greatest service is to be rendered the patients.

An analysis of the work done in the clinic, therefore, is pertinent to the subject. In my study of the routine work of the syphilis clinic, I examined job analyses of those engaged in the nursing and social work professions. These I obtained through personal visits or through correspondence with about sixty clinics. I also interviewed doctors, nurses, and social workers, who are familiar with the general subject, and I secured from clinics and outside social case-work agencies, case records of families or individuals where syphilis was an important factor.

And here I may indicate a single conclusion drawn from my study of syphilis clinics. I believe that much irritation might be avoided and much more constructive work accomplished in developing a new profession such as social work, if sufficient time could be given to analyzing each individual job, and then carefully and with real consideration, selecting the best person available for the position regardless of old traditions, old prejudices, and biased points of view.

There are at least four rather well-defined jobs to be done in a syphilis clinic:

1. The work of medical diagnosis and treatment. This concerns the doctor.
2. The provision of necessary clinical assistance for the doctor. This includes the arrangement of room and supplies, and attention to patients, and is the clinic nurse's job. It is evidently a job in itself, especially where assistance is given in actual treatment.
3. Social work, which I will refer to in detail later in the discussion.
4. The clerical work—the keeping of records, and help given in a follow-up system through written correspondence. This should be done by the clerical assistant.

These, then, are the four functions to be carried out in the clinic, and evidently the fullest use is made of the clinic only when all four are adequately performed.

As for the individuals who are at present attempting to carry out these different functions, there may be instances where the doctor is able to attend to all four, as in small localities or in his private practice. I myself saw no such clinic. Comparatively often I found that two persons, the doctor and the nurse, had the field to themselves. The idea was generally prevalent that a medical follow-up system constituted all the social work that needed to be done, or that instructions to patients about the time of their return for treatment, and the prevention of infection to others, were a part of social work instead of being a part of the medical job. But while it is true that such duties can be performed to advantage by the skilled social worker, because of the social influence, instructions to patients may be effectively carried out by a pleasant, conscientious, clinic nurse with no public-health or social-service training; or the actual details of a letter or card follow-up may be attended to by a well-trained clerical worker, under supervision of the doctor.

Frequently, it was found that a nurse with no training in social work had been assigned to a clinic and called a social worker, but that no real social work had been done.

In sharp contrast with this, there is a clinic that I visited in a large city, which was characterized by both the head of the local Visiting Nurse Association and also the most prominent medical social worker, as accomplishing the best work with syphilitics, in that community. Here a nurse social worker, besides managing a large clinic efficiently, with a marvelous follow-up system, both as to mechanical detail and effectiveness in securing the return of patients, was doing social case work in a selected number of cases.

For instance, when the doctor told a young girl of rather low-grade intelligence that she must stop her work as a candy packer because she was in an infectious stage of syphilis, this social worker knew that the patient was alone in the world, that she would not have resourcefulness enough to plan her own future, and the doctor's order to quit her job might mean the streets for the girl unless assistance was given at once. As a first step the social worker found the patient a place to board while coming to the clinic for treatment. This was done through the aid of a society for the care of girls; and later, when the girl was ready to earn her own living, the social worker helped her secure employment in a box factory and remained her counselor, guide, and friend.

This social worker had also established effective coöperative relationships with other medical and social agencies in the city in many cases, and through facts obtained by intensive case work, assisted the doctor in charge of the clinic in the preparation of a special medical research study. In addition, she occasionally spoke to women's clubs and other public opinion agencies. She had time intelligently to interpret her job to me; and also sent me some of the best medical-social case records which I have seen. In this work she had the help only of a clerical assistant. She was a college graduate, a registered nurse, and had taken a year's course in social case work in a school of social work. I might add that in addition to this particular person's training and ability, the help of the clerical assistant was an important factor in obtaining results.



Turning now to the type of clinic where the non-nurse medical-social worker is a member of the staff, I found a non-nurse social worker in charge of social-work activities in one of the best-known clinics for the treatment of syphilis in the country. She not only has established her work on an excellent scientific basis, but she has an intensely human and sympathetic understanding of patients, and is able to give an exceedingly clear picture of the relationship of this disease to individual and community social problems, as well as to purely medical diagnosis and treatment. In this clinic she has on her staff both nurse and non-nurse social workers, all engaged in different forms of social work. Apparently, too, the staff members as well as the doctors and clinic nurses are all coöperating and have mutual respect for one another.

In another instance a syphilis clinic is conducted on certain days each week in a health center which serves a community largely rural, but also with a small-town population. The operation of the health center is one of several activities of the one social agency in that locality. The agency itself is directed by a well-trained social worker. The health center is supervised by a nurse executive who manages the different clinics and assists the doctors in giving treatment. The nurse is on the staff of the social agency as an expert in dispensary work and not as a social worker. As far as I could discover there was a pleasant "give-and-take" between the social-worker executive of the social agency and this expert member of her staff (and why shouldn't there be?). The social worker was in regular attendance at the syphilis clinic, and had the first interviews with new patients. She was also present when the doctor gave his directions to such patients as she, the doctor, and the nurse executive, decided in consultation, needed social case work. She then attended to the necessary case work, in the main, without extra assistance.

Probably the largest number of syphilis clinics are presided over by public-health nurses who are in attendance on clinic days held several times a week. They perform all the clinic

duties, both nursing and social, and between times make home visits for medical follow-up and health instruction for the prevention of infection of others.

In my investigation I met social workers with and without a nurse's training, social workers who had obtained a college degree and those who had not, some who were graduates of schools of social work, and some having special medical training, some with apprenticeship experience under good supervision, and some also who "just grew." In many instances the same kind of social-work duties were being performed in the various clinics and this with apparent success and happily. When I refer to the social worker, then, I have in mind the person who is doing the social-work job, whatever her previous education, training, or experience may have been.

Before giving my conclusions as to what constitutes real social work, I wish to say first of all that there is, it seems to me, one important duty in the clinic which must be shared in common by the workers, whether doctor, nurse, social worker, or clerk; and this is the maintenance of the proper atmosphere. The spirit of courtesy, of neighborliness and friendship, of regard for privacy and for confidences extended by the patient, as well as regard for social justice in the sense of respect for other persons' rights, must be in evidence. In one or two instances in my visits to clinics a pleasant atmosphere was totally lacking and there was a brutal disregard for patients' interests, and failure in common courtesy, so much so, in fact, that I wondered why the doctor wasted his time in attendance. Certainly it was a hardy patient who returned for treatment!

The first function in social work is attention to certain details in the management of the clinic. These require a dealing with social facts. They include the admission of patients, which may involve in some clinics a selection of patients if scientific work is to be done, and also supervision of the follow-up system. There must be smooth flow of the coming and going of patients, and a supplementing of the doctor's advice and instructions, when necessary, by reiteration of directions in language simple enough

for the patient thoroughly to understand. I have also been told repeatedly that the first interview with a new patient offers one of the best opportunities for effective social work. Here is a chance to gain the patient's confidence, to help overcome shame, fear, or undue reticence, and, in fact, to set the pace for the whole process of treatment. Certainly, too, no one could do this job successfully without a working knowledge of normal and abnormal psychology.

A second important part of social work is instruction of the patient in the clinic. This is most essential and is truly social work. In a large clinic, and, in fact, in many smaller clinics, the doctor and nurse are so occupied in giving treatments that they have little time for this teaching process. In such cases the social worker may supplement their efforts. And to be successful, this work must be performed in a spirit of humility and generosity toward the representatives of the older professions of medicine and nursing (if the social worker is not a nurse). Nor can it be done in the spirit of preaching or of wholesale instruction, but rather in a patient, untiring, understanding, and individual way.

The third function of the medical-social worker is the interpretation of the medical facts about a given patient to outside agencies, and this, it seems to me, is one of the most important functions of the social worker in the clinic. Outside social workers such as the family worker, the protective officer aiding young girls, the child-placing agent, and the employment worker, frequently bring patients to the clinic and they should expect an explanation of the medical facts which have a bearing on the social facts, if they are to act intelligently. Such interpretations in many clinics are totally lacking. In one clinic where a large number were being treated daily the one social worker remarked that she had decided to make that her chief job and to give up any idea of doing outside case work with patients herself. "At least," she said, "I do know how to interpret the medical facts to outside social agencies so that they can intelligently do the social case-work job." And clearly she had made an intelligent

choice as to what it was possible for her to do and do well, and what it was impossible for her to do. Nor is the interpretation of medical facts to outside agencies a simple task. Non-medical social workers and some public-health nurses are astonishingly and sadly ignorant of the prevention, treatment, and cure of syphilis. So much so that frequently (and here I refer particularly to social workers other than public-health nurses) they have antagonized doctors and lost for their clients possibilities for treatment which should have been available. It is important, too, that the medical-social worker should make clear to the social worker from the outside agency that she must not attempt to diagnose the patient's physical ills, that she must only describe the symptoms to the doctor who will make his own diagnosis. Frequently, social workers innocently and ignorantly ask the doctor to give the patient a Wassermann test, where there was given neither history nor physical symptoms to indicate the need for such a test, not knowing that this is sufficient to irritate many doctors immeasurably.

Then, too, some public-health nurses outside the clinic have failed to visualize the social and medical treatment necessary in delicate situations presented by families in which a member is suffering from syphilis.

Social workers on the outside also need to know—not how many salvarsans or mercury treatments have been given, nor even when the patient should return for treatment—but whether he is infectious and whether he can go to work, and if so, under what conditions. Nor should they be expected to be mere errand runners for the clinic in securing the patient's return.

The fourth function of the medical-social worker is the general contribution to the education of the community, by indicating the relationship of cause and effect, and the social causes and results of syphilis. This is the public-health function of the social-work job. It may be done both with individuals in teaching the prevention of infection to others, and in group fashion through community propaganda.

The fifth function is the intensive social case work necessary

in the successful treatment of many clinic patients. In many instances, perhaps in the majority of cases, this is not being done at all. It certainly is a part of the work rarely seen successfully accomplished.

In all the large cities where I had an opportunity to learn about the management of syphilis clinics, I found some examples of good case work. In a few instances case workers were employed only for intensive medical-social case work.

In smaller cities medical-social case work evidently has to be done directly from the clinic with all sorts of people such as husbands and wives, the pregnant woman, the homeless boy, the prostitute, and the girl in difficulty. In large cities case work involves special coöperation between the clinic staff and the outside social agency. Here is where close coöperation with protective societies and outside case workers with girls can be most effective, and if carried out promptly, will probably prevent the making of many women prostitutes who so complicate both the public-health and legal functions in the prevention of this disease. In social case work the medical-social worker must picture the environmental and psychological factors to the doctor so that better treatment can constantly be given. After the doctor has made his diagnosis, decided on the necessary treatment, and advised the social worker regarding the patient, there must be on the social worker's part endless and untiring personal work with individuals in their homes as well as in the clinic.

As the patients go through the experience of facing the consequences of the disease, regardless of how they acquired it, their mental attitude and readjustment is clearly, as pointed out by a social worker, the biggest part of the problem, "whether it is the readjustment of the point of view of the wife toward her husband, of the father toward his children, of the girl toward society, or of the delinquent male patient toward the law." A special technique must be employed, then, to individualize and bring out the human side of the patient. Frequently the nurse as such has neither the time nor possibly the ability to recognize other than physical symptoms and reactions.

On the other hand, outside social workers frequently fail to provide necessary social facts. In one clinic I visited, the social worker said that in the twenty-six months of her service she had had only one communication from an outside social agency giving an intelligent social history of a patient who had moved to another city, the reason why a previous medical history was requested, and some report of the later medical history.

The sixth function in the social-work job is the careful preparation and preservation of social records. This duty cannot well be performed by the doctor or the clinic nurse. In fact, I know of some clinics where the doctor and the nurse were so occupied with their own work that it could not be learned later what treatments were given, or whether the patients returned subsequently for further treatment. Here certainly haste made waste.

Seventh, along with all the other functions of social work, some research work should be carried on, either in assisting the doctor in medical research or in studying certain social conditions.

This, then, is the social-work job as it was shown to me, consisting of the seven different functions which have been indicated.

In a small city, the equipment of the public-health nurse is especially valuable in the health-department clinic where one worker must do many things and the public-health function is the main consideration.

The social case worker attached to the syphilis clinic has particular equipment for performing an important function in the social-work job, which has already been noted, the study of the social environment and character of the individual so that there may be a real change for the better in personality. (And a part of her essential equipment in the syphilis clinic if she has not had a nurse's training, must be an understanding of the history, ethics, and problems of the medical and nursing professions.) The social workers from outside agencies should not assume a knowledge of medical facts but should be able, as a minimum

part of their equipment, to ask questions intelligently regarding such facts, and may thus secure coöperation in social treatment.

The public-health nurse and social case worker will each have a different method of approach toward community and health problems. Each will emphasize her own specialty. Where in the main the public-health job must be done, the public-health nurse is logically the person to do it. When a fine type of social and character reconstruction is needed the social case worker is required. The difference is one of emphasis on a particular function, and each job is complementary and supplementary to the other.

Respect is needed for the person who is likely to have the greatest hold on the patient. There can be no wholesale rule laid down, but in each case under medical and social treatment, the decision as to who should do the work ought to be made on the special facts, needs, and interests of the patient, with help from every possible source.

Team work and respect for special qualifications of clinic nurse, public-health nurse, social case worker, and just plain social worker will get results. We would more fully realize that team work is essential if the aim of all social work were more generally kept in mind, that "all social service is good only so far as it makes itself unnecessary."

## CHARACTER FORMATION

In harmony with the rapidly developing psychology of education, it becomes necessary to conceive of education in relation to sex as but a phase of character education as a whole. As such, "sex education" means vastly more than instruction concerning sex; it means a comprehensive and progressive process of care, guidance, and example extending over a long period of years, from infancy to maturity. Moreover, sex education is a social and a socializing process; both in its progress and in its results it reaches far beyond the boundaries of the physical person. Because of the far-reaching effects of the eventual attitude and practices of the individual, sex education carries with it obligations of the widest social importance. As a phase of character formation, sex education must include all the instruction and training that may help to form normal and wholesome attitudes and ideals in relation to sex, and to shape conduct in accord with such attitudes and ideals. Such education must, therefore, be developed as an organic part of the entire educational program, and not be considered a special and isolated bit of ritual to be performed at a given time, and then dismissed as finished.

Benjamin C. Gruenberg, Editor, *High Schools and Sex Education* (Washington: Government Printing Office, 1922), page 1.



## THE GIRL OF TO-DAY

MARTHA P. FALCONER

*Director, Department of Protective Social Measures, American Social Hygiene Association*

In many parts of the country to-day much prominence is given by the press to the sexual immorality of our young people. It is claimed that standards have broken down. Marriage is now under attack; intelligent women are demanding freedom and self-expression which they find doubtful in marriage. We are told that in the high schools attended by boys and girls it is a common occurrence every year for some of the girls to become pregnant; that unchaperoned parties are the rule and much of the automobile riding is attended with evil results; that it is the fashion to indulge in objectionable dancing, extreme dress—or the lack of enough dress; that loose mingling of the young people who resent dictation is to be found in most places, and that our young people are setting standards which are most unfortunate for themselves and the communities. We are told that the young people of to-day are fast, wild, and extravagant; that parents, the war, and the free use of motor cars are to blame for these conditions.

Into this chaos the young girl comes seeking—what? Life, beauty, opportunities for work and play and companionship. Whatever the causes for the conditions, she is not responsible for them. She hears on all sides that the modern girl is restless, that she craves new forms of diversions and fresh excitement, that she is rebellious to discipline, and is not willing to accept what she considers the stupid restraint of convention. It has been said of her:

She desires the unusual and expensive, is irreverent and gloriously slangy, she represents the feminized spirit of the times epitomizing all the sense of disquiet, all the craze for new sensations, all the madness for reckless expenditure of energy and money and nerve force which have marked mankind these last few crowded, tragic years.

But we were told by our parents much the same thing. Writers for generations have deplored the restlessness of women. Let us keep on being restless and dissatisfied with present conditions until men and women working together make our communities safer and better for our young people.

Is it any wonder the young girl is bewildered and dazed? We cannot stop the hands of the clock; we cannot turn back even if we should so desire. How can we interpret life to our young girls and help them make adjustments? No longer are marriage and teaching the only avenues open to women, and for this we are thankful. One young woman who was in her third year in college said to me recently: "I do not want to marry; I am not fond of housework; I do not wish to marry unless I fail at everything else!" True, she may change her mind, let us hope she will, but she expressed a common attitude toward marriage on the part of many young girls.

It is as normal at forty to be complacent and accept standards as it is normal at twenty to be rebellious. At forty we have a better understanding of what is the reasonable and wise course of action. The young girl thinks her elders are narrow-minded and puritanical. At forty we know that the unwritten social laws have been found by experience to be useful in promoting the success of the home, the family, and the happiness of the individual. Can we help our young people to see this? In order to do so we must have a better understanding of youth. Perhaps the most fatal mistake is the unwarranted assumption that our boys and girls *want* to be like us. When they are *twenty* they do not want to be as we are at *forty*. The age of forty is an unthinkable one to twenty. The middle-age period is too remote to be of use as a model. How can we teach them the way to be more like us and better than we are when they reach middle age? How can we show them the necessary steps and make them *desire* to follow? We must recognize the gap between middle age and youth and realize that the standards of middle age are not attractive to youth. Often we fail to understand how exacting and how conventional young people are in

their attitude toward older people. They are often sensitive and proud, and in our dealings with them we do not sufficiently respect their individuality.

Children are a responsibility to parents, but parents are frequently just as great a responsibility to children. As a primary step we must understand youth better than we do. With determined effort we can recall enough of our youthful feelings to avoid many mistakes. If we have arrived at an age when proper behavior has become natural or easy for us, let us remember the long hard road we had to travel. We cannot *force* our conclusions on our daughters; they must see and find out for themselves. We may be able to get a better coöperation with them if we can make our girls feel our ability to understand in part their problems because we at their age had problems.

We must try to teach our girls what the chivalry of men means and on what it is based. Men always have and always will be willing to give their lives to save women; our young girls must know this lesson by heart, and they must make themselves worth saving. We must emphasize the fact that since girls are the potential mothers of the race, it is natural that somewhat of the mother feeling shall enter into their liking for boys. Girls and women always set the standards for moral behavior. The young girl must be taught to feel responsibility for her behavior with boys and she must not make it harder for them to keep straight.

We must remember that the mating instinct is strong in both boys and girls. Would that we knew enough about it to teach them the "art of mating" instead of leaving it to chance or propinquity. We know how important it is to give our young people some training for the responsibility of parenthood, and two steps are primary in this preparation: First, let them be given proper sex education, which should commence when they are young, with more definite teaching before marriage. Next, let us have better marriage laws, making it difficult for the diseased, the mentally unfit, and the habitual criminal to marry.

We cannot sit back and excuse the license of to-day by saying

that times have changed. Times are always superficially changing—fundamentals do not change. We have made the world what it is; our young people are not responsible for the conditions in which they find themselves. If our girls are drifting away from what we think proper standards, we are to blame. Let us examine our past with humility of spirit and pray "Lead us not into temptation." It is for us to see to it that our young people are not let into it through our refusal to respect their individualities. We *can* understand them if we go at it earnestly enough, recalling our own youth, and being willing to consider their standards seriously and honestly. In this way we can help them to accept standards which make for social security and personal happiness.

Much emphasis is being placed on the necessity of home training; on the responsibility of the home and the importance of good home influence. Let us recognize that home is not place but personality. The essential home of the child lies in the attitude of the parents toward each other. Jealousy, hypocrisy, antagonism between parents cannot be helpful to the children. Mutual understanding and harmony in love create an atmosphere more important to the development of children than food and raiment. The development of the child depends not so much upon the quantity and quality of food as upon the digestion of that taken. "Better a dinner of herbs where love is than a stalled ox and hatred therewith." Continual fault-finding or criticism will not help the girl to turn to her parents for guidance and companionship. We must try to train our young people for a marriage of comradeship and social responsibility, and should begin with sex education at an early age, supplemented by a community program of wholesome recreation and religious education.

Let us remember that we may be hearing so much about the deplorable conditions of to-day because we are more interested in all phases of social hygiene, in the single standard of morals, in wholesome recreation, and in educating public opinion to the responsibility for vice conditions in a community. We must not

cease our efforts until we have made our rural communities as well as the cities, see the need of organization in handling these conditions.

First, a survey should be made and this often can be done by the churches; then the forces of the church, the town, and the school should be developed for a program of law enforcement, of recreation, and of education that instructs and stimulates ideals in conduct.

## THE WEAKNESS OF SUBSTITUTES FOR MONOGAMY

Every device suggested as a substitute for permanent monogamous marriage in which the individuals are contractually responsible to one another and to society for complete good faith both in forming and in keeping up the home, moves in the direction of gratifying the sex desires and of obtaining the satisfaction growing out of them without assuming the full personal and social responsibilities of mating, permanent home-making, parenthood, and the care and education of children, for which sex attraction fundamentally exists. It is a definite effort to seize upon a group of pleasures and privileges naturally incidental to a main evolutionary process at the expense of the primary purpose of the process. Any departure from strict monogamy implies prostitution parallel with the home, concubinage or promiscuity alongside marriage, polygamy, or some of the various forms of promiscuity covered by the terms temporary or "trial" marriage to be broken on slight grounds, "free love," or the like.

All these substitutes are in the direction of promiscuous mating. More irresponsible mating may cater to the licentious, and perhaps serve to diminish individual repressions; but we have no evidence whatever that humanity has reached a place where the average individual, if left free to choose between regular and permanent, self-denying and responsible sex relations on the one hand and temporary, irregular and near-promiscuous ones, baited with all the premiums of sex indulgence, on the other, will choose and adhere to the more sacrificing and more social. Such devices threaten the whole structure and evolution of the home and family.

From "The Community and Its Youth," A Manual for Community Study of Social Hygiene.

## THE CAMPAIGN AGAINST VENEREAL DISEASES IN WESTERN EUROPE

WALTER CLARKE

*Formerly Chief, Division of Popular Health Instruction, League of Red Cross Societies, Geneva, Switzerland*

Complete and more or less interesting pictures of the march of events in western Europe, in so far as they affect the campaign against venereal diseases, have already been placed before the public. Perhaps the most concise recent reports are those of the three regional Red Cross conferences arranged by the League of Red Cross Societies through its Division for Combating Venereal Diseases, which has now passed out of existence. These conferences were held in Copenhagen, in May, 1921; in Prague, in July, 1921; and in Paris, in December, 1921, and reports of them can be obtained from the League of Red Cross Societies.<sup>1</sup> The reports describe briefly the situation in each of the countries participating in the several conferences and since the reports were made in each case by a person fully competent to speak authoritatively regarding his country, any one interested in obtaining a fairly complete view of the campaign against venereal disease in Europe may turn to these reports with full confidence in the facts and opinions there set forth. The three conferences were unanimous on two vital points, namely, the value of educational measures in combating venereal diseases, and the necessity for provision of public facilities for the treatment of venereal diseases. The conferences also went on record more or less definitely as opposed, in general, to the policy of reglementation. The present article, based as it is upon personal observations of the campaign against venereal diseases throughout Europe, must be limited to a very brief account of certain

<sup>1</sup> Sec'y General, League of Red Cross Societies, 7 Rue Quentin Beauchard, Paris. The price per copy is \$5.00, postpaid.

factors in that campaign, factors which probably will have been out of the path of many casual students of public health in general and social hygiene in particular.

Social hygiene, it may be remarked in passing, is a term having quite a different meaning in Europe from that it has in America. I would not venture to define what, exactly, social hygiene means in America, beyond saying that it embraces not only the campaign against venereal diseases and the efforts to prevent and repress prostitution, but includes, also, among its positive interests, sex education and such questions as eugenics and birth control, and marriage and divorce law reforms. In fact, as I understand it, social hygiene may deal with all the physical, psychological, and social problems growing out of sex phenomena. In Europe the term social hygiene is practically a synonym for public health. In many cases ministries which, in this country, would be called ministries of public health or health departments are in Europe called ministries of social hygiene. There has arisen, as a result of this difference in usage, a certain degree of misunderstanding as to what we, in the United States, mean by social hygiene, and there has been considerable adverse criticism of our use of the term in connection with the struggle against venereal diseases. To these critics it appears that the American term is less frank and specific, and fails to set a good example by calling things by their right names. No little explanation is required to convey to Europeans a conception of what social hygiene means in America. In Poland the same sort of inclusive program is called "racial regeneration."

One of the out-of-the-way countries of Europe which at present happens to be figuring largely and tragically in newspaper headlines and which is not, one may frankly say, notably progressive in health matters, is Greece. Yet, there is in Athens one of the most complete and modern skin and venereal-disease hospitals in Europe. This institution, the Syngros Hospital, has been brought to its present state of perfection largely through the efforts of Doctor Photinos, the leading Athenian specialist in the treatment of venereal diseases. Doctor Photinos, by his



extraordinarily energetic personality, his thorough scientific training, and his appreciation of the menace of venereal diseases to his country, has been able to induce individuals and the Greek government to provide the financial support necessary for the development of this splendid institution. The Syngros Hospital provides facilities for 600 bed patients, mostly women and soldiers. The women are for the most part sent from the Athens police department diagnostic clinic where the prostitutes of the city undergo a weekly examination. There are excellent laboratories and a large lecture room used for post-graduate medical instruction. The hospital, moreover, houses a great collection of wax models depicting the external manifestations of skin and venereal diseases. More than two thousand moulages are included in this carefully classified collection which is visited by many curious travelers and which is utilized for more serious purposes by medical students in studying rare skin diseases.

Recently, Doctor Photinos, through the assistance of the Greek government, acquired several motion pictures on venereal diseases. These films, which are of German manufacture, have been used, at least locally in Athens, both for civilian audiences and for the Greek army. Also, through an appropriation by the government, and with the assistance of the Greek Red Cross, a very large edition of a pamphlet on venereal diseases was published and distributed to Greek soldiers. Doctor Photinos is keenly interested in American health educational methods.

The Syngros Hospital is, I believe, only surpassed in southern Europe by the magnificent institution which has been built up in Rome by Professor Ducrey, the renowned discoverer of Ducrey's bacillus, whose name will live, with that of Ehrlich, Schaudinn, and Neisser, forever. Professor Ducrey smilingly related that during the long period of his connection with the medical school at Genoa, venereal diseases were always the last and least considered and his work, distinguished though it was, had to be carried on, as he said, in a place hardly fit to be the abode of cattle! The Venereal Diseases Clinique over which Professor Ducrey now presides is almost entirely the embodi-

ment of his own conceptions of what a perfect venereal-disease hospital should be. Although the institution now occupies a large building on the outskirts of Rome, he has a great plan for its yet further development, and hopes to draw to the Clinique, from all parts of the world, students who will there pursue advanced studies under his direction. The Clinique is well equipped for research work and for the training of physicians.

In sharp contrast to Professor Ducrey's Clinique is the ancient St. Galliciano, also situated in Rome. St. Galliciano is the oldest venereal-disease hospital in Italy and one of the oldest and most famous of the world, dating from the Seventeenth Century and being originally as much prison as hospital. The ingenuity which has been used in converting the dark old unsanitary wards into quite satisfactory modern wards is one more cause for admiration of the practical qualities of Italian scientists. New windows have been placed in the thick stone walls and the stone floors have been covered. There are a large number of beds in St. Galliciano, as well as an out-patient department for the treatment of ambulatory cases.

I had the opportunity at St. Galliciano to examine the record system which is a characteristic feature of free venereal-disease treatment centers in Rome. From 200 to 700 patients per week are treated in the ambulatory department of St. Galliciano. The record system provides for absolute secrecy, no inquiry being made as to the name or address of the patient. He is known to the doctor only by number. When patients fail to turn up for treatment there is ordinarily no way by which they may be followed up. Naturally a very large number of patients do not continue treatment long enough to be cured and in many cases not long enough to be rendered noninfectious. Many prostitutes are treated at St. Galliciano's. Those who come voluntarily may go when they please; those who are sent by the sanitary police must remain until declared noninfectious. St. Galliciano must be thought of as similar in many ways to the London Lock Hospital with which it has very much in common, not only in its present use, but also in its history.

A different sort of interest attaches to the Weylander House in Stockholm. Professor Weylander was, as every one knows, the most famous Scandinavian authority on syphilis. It was a lifelong ambition with him to establish homes in which syphilitic children could be treated, and the first and most famous of these was established by and named for the famous syphilographer. Upon the death of Professor Weylander, the home came under the direction of a student of Weylander, Dr. Karl Marcus, who is the present supervising physician and who has succeeded in a large measure to the position of trust and influence which Weylander occupied in Sweden. Children are taken into the Home at any time, but the Home prefers to enter pregnant syphilitic mothers for treatment and observation a month or more before the birth of the child. Frequently children are retained in the Home for a period as long as ten years, undergoing careful treatment and observation. The Weylander Home at Stockholm has been in operation for about twenty years and very interesting results have been obtained, indicating what can be done with syphilitic children both when taken before birth and when taken at later periods. Fifty children are cared for at the present time, the cost being about two kronen per day per child. I have yet to see an institution for children which is more cheerful and hopeful than the Weylander Home at Stockholm. Similar homes have been established in Denmark and in Norway.

The wax models at the Syngros Hospital provide evidence of a connecting point between such educational work as is done in Greece and that which is done in Germany. This connection lies in the fact that before the Great War many Greek physicians received their training in Austria and Germany. Wax models are largely used in Germany in educational work concerning venereal diseases and tuberculosis—the model has in fact been used for many sorts of instruction concerning anatomy and pathology. The German models would, I am inclined to believe, be regarded in this country as perhaps a degree too horrible to produce wholesome results. They are prepared for the most part by the Dresden Hygiene Institute, one of the excellent

agencies made possible by the German Red Cross, and while the moulages strike me as gruesome they seem effective with the German public. Many travelling exhibits made up of these models and of charts have been sent out by the Dresden Hygiene Institute not only in Germany but also to Switzerland, Czechoslovakia, and even the Balkan States. They are generally of two sizes—one very large and complete, requiring considerable space for its display, and the other practically a portable exhibit. The German Society for Combating Venereal Diseases has used both sizes of exhibits with marked success. In connection with the North European Red Cross Conference on Venereal Diseases, there was an exhibition of popular educational materials used in Germany, in England, and in the United States. Many members of the conference were struck by the marked difference between the psychology and method of the German exhibit materials on the one hand and the English and American materials on the other.

The loss to the German Society for Combating Venereal Diseases through the death of Professor Blaschko must be very great indeed. He was perhaps the most influential member of the German Society, and his broad and statesmanlike views were invariably given careful consideration throughout the new German Republic. It was a distinct loss to the North European Conference for Combating Venereal Diseases that his state of health did not permit him to give that Conference the advantage of his generous and magnificent mind. There are remaining, however, Doctor Pinkus and Professor Galewski to carry forward the ideals of Blaschko, and all persons interested in the development of sound health measures will, I am sure, wish them success in these difficult times.

Doctor Pinkus and Professor Galewski were present at the North European Conference for Combating Venereal Disease. This was, I believe, the first occasion when distinguished representatives of the medical and health circles of recently belligerent countries met about a conference table. There were trying moments both before and during the conference. The courtesy

and tact of Colonel Harrison, Doctor Menzies, and Mrs. Rolfe of the British delegation, and of Professor Galewski and Doctor Pinkus of the German delegation, and the adroit management of the Danish hosts, prevented any unpleasantness.

The German representatives at the North European Conference let it be known how keenly the German scientific workers have felt their intellectual isolation since the war. With the same tragic situation before her, Frau Adele Schreiber, member of the German Parliament and active social worker, whom I met in Geneva, asked me whether her former correspondents and friends in the United States would be likely to welcome a renewal of contact with German intellectuals, or whether efforts in that direction would meet with rebuff. Workers in the German Red Cross Society indicated that the social and health workers of the new Republic feel deeply the need of encouragement especially from colleagues in America and England.

Readers of the European press and perhaps of the American press also may have seen about a year ago, an account of the stoning of Dr. Magnus Hirschfeld of Berlin after a lecture which he had given in a certain German city. Doctor Hirschfeld is the director of the Institute for Sexual Science in the German capital, about which there has been a considerable degree of controversy. The purpose of the Institute is in general to study all physical and psychological phenomena of sex, but in particular the Institute centers attention upon the treatment and cure of sexual perversions. The Institute is composed of departments for the treatment of venereal diseases, the study of sex biology and sex psychology, and an X-ray department. Many persons convicted of or charged with sex crimes, cases of sex obsession, and homosexuals are treated in the Institute. Doctor Hirschfeld showed me a large number of his cases, explaining briefly his treatment of each. He has associated with him a staff of experts, and he and they conduct a post-graduate course for physicians. It was Doctor Hirschfeld's intention when I spoke with him, to give the institution, once it is well established, to the state. A certain body of German opinion not to be lightly dismissed, holds

the view that victims of homosexuality are proper subjects for punishment rather than for treatment. This group has openly criticized Doctor Hirschfeld, and his stoning at the hands of a mob was perhaps not entirely due to the fact that he is a Jew, although this was the reason given by the press reports.

There are in Berlin a series of 30 first-aid stations established by a society for that purpose. The German Society for Combating Venereal Diseases, in 1920, made arrangements with the First-Aid Society for the provision in the first-aid stations of facilities for prophylactic treatment of venereal diseases. Signs have been placed in the public lavatories of the city warning any one who may have exposed himself to a venereal disease to hasten to the nearest first-aid station where preventive treatment will be given. Each sign gives the address of the nearest station. In each first-aid station there is a trained attendant, usually a male nurse, who gives first aid for the usual minor injuries which are brought to such places. A physician also is connected with each station and is upon call whenever required by the attendant. Through the efforts of the Society for Combating Venereal Diseases the attendants have been instructed in the administration of chemical prophylaxis of venereal diseases. Each station is divided into two or more rooms so that privacy is assured. Obviously no observer can know the purposes for which a person goes to a first-aid station, so that there is no danger of any stigma attaching to those who seek prophylactic treatment. The stations are open both day and night. There is in the stations an atmosphere of dignity and science in keeping with the serious and useful purpose they serve. Whenever a prophylactic treatment is given, the attendant places in the hands of the person seeking treatment a pamphlet published by the Society for Combating Venereal Diseases, which gives the usual instruction concerning the dangers of venereal diseases and the advisability of avoiding exposure. A small charge amounting to five or six cents is made for each prophylactic treatment. I have not had a comprehensive report of the number of persons seeking prophylactic treatment in the first-aid stations, but it is the well-con-

sidered opinion of the leaders of the German Society for Combating Venereal Diseases that the plan has been successful and it is evident that its cost to the public has been very small.

In view of the controversy concerning chemical prophylaxis which has raged in England ever since the middle of the war and which has been only less violent in Germany, it was with the keenest interest that I compared the system of prophylactic treatment in Berlin with the experiment which is being tried in England at Manchester. The Manchester experiment, established in 1919 with the sanction of the Ministry of Health, is still under way. At first one and later two public lavatories in Manchester were remodeled so that chemical prophylactic treatment could be administered on a plan similar to that of the American army during the war. Notices were placed in other lavatories of the city calling attention to the prophylactic stations. Trained attendants were assigned to the centers. After a period of more than two years' trial, the Ministry of Health has about reached the conclusion that this method of preventing venereal diseases is impracticable for general application on account of the expense and the impossibility of establishing a large number of stations. It is doubtful whether the experiment will be extended or even long continued.

In the meantime a violent controversy arose, not only in Manchester, where it centered about the prophylactic stations, but also throughout England embracing the whole question of chemical prophylaxis. Whatever good this controversy may have accomplished, it has doubtless done irreparable harm. In this contest the National Council for Combating Venereal Diseases stood on conservative ground and the newly organized Society for the Prevention of Venereal Diseases stood for radical measures. I have not the temerity to attempt to say for what, exactly, the two societies now stand, nor to compare their present positions with that of 1919, but in principle the National Council for Combating Venereal Diseases opposed the general dissemination of information concerning self-disinfection, which on the contrary was the policy advocated by the Society for the

Prevention of Venereal Diseases. It is now evident enough that the British public and perhaps even the parties to the controversy are thoroughly tired of the battle and it is the hope of all public-spirited British leaders that the scientific commission of inquiry appointed through the initiative of Lord Dawson, honorary physician to His Majesty, the King, may bury the controversy beyond the possibility of a future resurrection. It has, at least, been taken out of the limelight into the laboratory for dissection and analysis by a group of the best medical scientists of the United Kingdom. The controversy wrought havoc in several directions, principally, I believe, through a diminution of public confidence in the National Council for Combating Venereal Diseases and in the Ministry of Health, so that a considerable shrinkage has taken place in the funds which the Council and the Ministry have available for truly vital work. The public was given to understand that the expenditure of large sums of money for the treatment of venereal diseases was wasteful in view of the fact that the popularization of self-disinfection would vanquish the venereal diseases, thus relieving the public of the burden of paying rates for the cure of diseases already acquired. This is an argument which a tax-ridden public was glad to believe, fallacious though it be.

On the Continent the prophylaxis controversy has not been so lively; in fact outside of Germany it can hardly be said to exist at all. In Holland, chemical prophylaxis is looked upon with general disapprobation and even during the mobilization period of the Great War the Dutch army was not provided with the means of chemical prophylaxis. In Athens a curious experiment is being tried. It consists in the installation in houses of prostitution of up-to-date facilities for chemical prophylaxis, it being supposed that the inmates of such houses can be taught to administer prophylaxis. In France every licensed house of prostitution is supposed to provide facilities for prophylaxis. While no great controversy on this subject exists in the Scandinavian countries, careful attention is being given, particularly in Sweden, to the advisability of providing some means of



chemical prophylaxis. Elsewhere in Europe this subject has not drawn much public attention.

Private organizations for combating the venereal diseases are to be found in several of the countries of western Europe. Some of them are well developed and resourceful, others are struggling "paper" societies. Fairly effective specialized societies exist in England, Germany, France, Switzerland, Belgium, Holland, and Denmark. All of these societies except that in Denmark are engaged principally in propaganda or popular instruction. In Denmark the society, of which Professor Ehlers and Consul Marcus are the moving spirits, supports a home for syphilitic children. Of the German society, mention has already been made. The French society is small in financial resources, but has, through the tireless devotion of Professor Gougerot, done a magnificent piece of educational work. The Belgian society has used many of the motion-picture films produced by the American Social Hygiene Association, and under the direction of M. Velders, has made a great record in rousing public interest in venereal diseases. There is in the German section of Switzerland a society with headquarters at Zurich which has done important educational work. Professor Block is the leader. A society in the French section of Switzerland has its headquarters at Lausanne, operating under the direction of M. Veillard. Active branches of one or the other of these societies are to be found in the larger Swiss cities. In Holland, under the leadership of Doctor Velthuisen of Amsterdam, an important work is being done by the Dutch Society for Combating Venereal Diseases both in educational activities and in conducting bureaus of advice for persons needing treatment for venereal diseases. In England a splendid record has been made beginning with the famous report of the Royal Commission on Venereal Diseases. Emphasis has consistently been laid upon educational activities which in turn have directed special attention to the necessity for early and persistent treatment of venereal diseases. Of the many distinguished persons prominently associated with the older organization, the National Council for Combating Venereal

Diseases, one may single out Sir William Osler, now dead, and Colonel L. W. Harrison, who is now the advisor to the British Ministry of Health on venereal diseases. The burden of organization and executive work has been carried forward with extraordinary energy and success by Mrs. Neville Rolfe, formerly Mrs. A. C. Gotto.

It is impossible to conclude these notes without calling attention to the need in Europe, and indeed throughout the world, for an international bureau for combating venereal diseases. There exist international bureaus to encourage the world's work on child welfare, and against tuberculosis; there is an international organization of nurses. The crying necessity at the present time is some effective world-wide alliance among the societies engaged in combating venereal diseases. As noted in my previous article,<sup>2</sup> there are societies in several of the eastern European countries, notably, Poland, Czechoslovakia, and Austria. In addition to these and the societies of western Europe noted above, there are active specialized agencies engaged in combating venereal diseases in South Africa, India, Australia, Canada, Argentine, Brazil, Uruguay, Japan, China, and the United States. These twenty national societies and committees ought to be associated in a strong international bureau or other form of organization. The time is ripe and the cost would not be great. An immense opportunity awaits such coöperative effort, especially in those countries which at the present time have only poorly organized agencies or none at all. The next article in this series will give fuller consideration to the opportunities and needs for combating venereal diseases through international efforts.

<sup>2</sup> The Campaign Against Venereal Diseases in Eastern Europe. JOURNAL OF SOCIAL HYGIENE, July, 1922.

## HANDLING ILLEGITIMACY CASES IN GENERAL HOSPITALS<sup>1</sup>

HELEN FOWLER

*Boston Lying-In Hospital*

One of the biggest problems confronting us to-day is the illegitimately pregnant girl, and her care involves a grave responsibility from two points of view, the medical and the social.

There are obviously four places in which to care for her: (1) The parental or relatives' home. (2) The maternity hospital or maternity ward of a general hospital. (3) The boarding home. (4) The maternity home.

For illustration we will consider the first offender. The patient applies at the pregnancy clinic of a maternity hospital or general hospital and because she is unmarried, is referred to the social service department as a problem. If she has applied at an institution supported by city appropriations and because of settlement is not eligible for care, she is referred to a private institution. At first interview the worker gets a story similar to the following: The girl is living with her parents or relatives. Perhaps she is an only child or one of a family all of whom are informed of her condition and are anxious and willing to help in every way. All plans have been made for her care at home through pregnancy and perhaps confinement, if such care can be given from the hospital, or she may ask to come into the hospital for confinement, returning home with her baby at discharge, to be cared for till she is again able to be self-supporting. Definite plans have been made, perhaps, for her marriage to the father of the child, or the alleged father may have disappeared, or may have denied paternity of the child, and she asks help in court proceedings, in order to gain at least support for her child.

<sup>1</sup> Address delivered before The Moral Welfare Conference under the auspices of the Florence Crittenton League, Boston, June 19-21, 1922.

On the other hand there may be no plans formulated, she and her family asking the worker to do this. In each of these instances, the hospital social worker has a definite responsibility, and will generally find that any suggestions she may offer which would be beneficial to the girl's future welfare and happiness will be accepted. A Wassermann test and smears taken at the clinic may be negative, and there is no physical abnormality indicated leaving only the straight obstetrical case to be followed; or there may be an abnormality and one or both tests may be positive, making a complication which the worker must tactfully present in order to get the patient under treatment. As the pregnancy progresses the regular visits to the clinic and the worker's visits at the home become more friendly, and the worker almost invariably finds she is considered an indispensable friend, and her advice all through is deemed the last word. This has been my experience in many instances in my five years at the Boston Lying-In Hospital, and some of the first girls I knew are still my friends.

Also there is the case referred by a social case work agency. Here too the hospital social worker has a definite responsibility, acting in a steering capacity to help carry through in every way the plans made by the agency, and to secure at the time of the patient's discharge a concise and accurate report of her physical condition and that of her baby.

Another patient who is not in her own home applies at a pregnancy clinic for care and either because she is unmarried, or, claiming marriage, is unable to make plans for her prenatal care and confinement, is referred to the social worker. It would take several pages to illustrate the many and varied stories told by the girls of this group. Many frankly admit the truth and ask for advice and help; others, in an effort to "get by," tell stories which, under tension, become disjointed. Very conveniently both the date of marriage and name and address of the person claiming to have performed the ceremony may be forgotten, but eventually, in most instances, the truth is admitted, and the worker finds that the girl has come from some

other city or town, to all intents and purposes to get work, but in reality to lose herself among strangers until after her confinement and, as she hopes, the surrender of her child. Or she may have lived and worked in the city for some time, and finding herself pregnant, turns to the hospital for care and the disposition of her child. Often a girl comes with the impression that she can work until within a few days of her confinement, corseted and dressed to hide her condition, and leaving her baby at the hospital, return to work within two weeks of her delivery.

What is the hospital social worker's responsibility when this type of case is accepted? The patient must report regularly to the clinic and she is told to eat regularly, wholesome, nourishing food, to get as much rest as possible and plenty of fresh air. From her point of view the main thing is to have as little expense as possible, so that she may save money to meet her hospital bill, pay her room rent if later in pregnancy she must give up work, and also put aside a certain amount to buy her baby's layette and to pay the first instalment of the baby's board if it cannot be adopted. She gets an inexpensive room which, because of its cheapness, is small, poorly ventilated and poorly heated. She eats hurriedly and in cheap restaurants because she cannot afford time or money to do otherwise. She dresses unwisely because she must conceal her condition to keep her position as long as possible, and when not at work, she is closeted in her small, depressing room, because she fears criticism and ridicule. The worker discusses with her the possibility of her returning to her family or relatives, explaining that the hospital cannot admit her until she is in labor, and must discharge her at the end of fourteen days, but finds the girl has left home to "save the good name of her people" in their community, or perhaps because she feared their treatment of her if her condition were known. To return home, she insists, is out of the question, and she must continue working. Here then, is the hospital social worker's responsibility. Conditions must be made as nearly normal for the patient as possible. If financial help can be obtained from the alleged father of the child either with

or without court proceedings, she may stop work in her early pregnancy and remain in her room, going out for her meager meals or doing her own cooking and getting her recreation wandering alone in remote districts, striving to remain unseen. Because of her being alone and showing her condition more and more, others living near her look askance, adding to her misery. If financial aid is not available, then it seems the girl must continue working as long as she can hold her position. Either she herself or the worker must approach her employer and ask that her work be made easy enough not to endanger her health in any way or that of her child. Arrangements must be made for her to report at the pregnancy clinic regularly, if she is to have good prenatal care, and it has been my experience that few wish to take the risk of keeping a girl in their employ under such conditions. If such approach is not made and the girl's condition is discovered, she is usually discharged without any consideration of existing circumstances. This means a search for other employment or resorting to one alternative for both of these illustrations, namely, the boarding home.

Is the right kind of boarding home available, at a price that can be met? Is it possible to find more than an occasional woman so situated as to take this special type of boarder, who will think of her or treat her as anything but a sinner? So few good homes are available that this solution is scarcely worth considering. Moreover, we run the risk of subjecting the girl to criticism of men (and there are many in a small community where boarding homes might be found) who, noting her condition, may consider her easy prey.

This brings us to the fourth possibility, the maternity home, and to me the one which solves the problem most completely, but at the present time only for the first offender who is not diseased. Here she has a home and protection, with a house mother to study her every need. She learns to sew, cook, and keep house. Entertaining and educational books are at her disposal, rest and recreation are part of the day's routine. A nurse is at hand to attend her minor ills. She is seen at regular inter-

vals by the visiting obstetrician, and there is a staff of expert consultants to be called on for any complication. At time of labor she is transferred to the hospital department, where she remains through her convalescence, and on discharge from this department, returns to the home to remain until satisfactory plans can be made for her future and that of her baby, and until there has been opportunity to find the type of work to which she is best adapted.

Many argue that the group life, open discussion among the girls of their own cases, and regular moral lectures, are injurious. If this is true (and I have failed to find it so in cases I have transferred to a maternity home), then it seems to me we must choose between the two evils, "friendship and companionship and an overdose of moral lectures" or "unhappy solitude and an overdose of moral discouragement."

A summary of the answers to several inquiries I have sent to institutions and agencies working with illegitimacy in other states shows that the majority turn to the maternity home if their own institution has no such department. Patients are usually admitted in the seventh month and remain from two to three months after confinement. The return of the girl and her baby to her family is the first aim. This failing, suitable plans are made for both before discharge. From University Hospital, Ann Arbor, Michigan, the majority of the unmarried mothers place their babies with the Michigan Children's Aid Society for adoption. The Sloan Maternity Hospital in New York, before registering an unmarried girl in the pregnancy clinic, refers her to a social case work agency. They no longer have waiting women, and simply give the routine two weeks' hospital care.

None of the answers especially mentioned the second offender. What are we going to do with her? May we not hope that the time is near when maternity homes will be equipped to admit all types of cases other than those who can remain in their own homes?

## AIMS OF SEX EDUCATION

1. To give the young a wholesome and appreciative attitude toward matters relating to sex.

2. To supply a proper vocabulary for the discussion of sex.

3. To answer the natural questions of children and youths in such a way as to prevent morbid and to give healthy attitudes toward sex matters.

4. To prepare girls for the experience of menstruation and boys for the experience of seminal emissions—a preparation made necessary since parental instruction in these matters is woefully lacking.

5. To strengthen the character of boys and girls against the common temptations of youth.

6. To reduce the tension and worry that are commonly associated with excessive or improperly motivated repression.

7. To teach pupils, both by precept and example, to discriminate for themselves between the wholesome and the salacious, as presented by companions, by the stage, motion pictures, reading matter, dancing and other amusements; and to develop a taste and preference for the wholesome.

8. To give young men and women some conception of the responsibilities of parenthood in the light of modern science, and of the conditions under which happy married life may be had.

9. To train the present generation of boys and girls, so that they in turn may be prepared to do their part in giving suitable guidance in sex matters to their children.

The New York Association of Biology Teachers.



# THE WOMEN'S DAY COURT OF MANHATTAN AND THE BRONX, NEW YORK CITY

GEORGE E. WORTHINGTON

*Associate Director, Department of Law Enforcement Activities, American Social  
Hygiene Association*

AND

RUTH TOPPING

*Field Secretary, Bureau of Social Hygiene*

The Women's Court of New York is the first court in the United States to be established as a special court dealing with women sex delinquents. There is doubtless no other court in this country to-day, which is so highly specialized along the lines of sex delinquency, as this court.

There is no court in New York City that corresponds exactly to the Municipal Courts of Chicago, Philadelphia, and Boston.

Inasmuch as the organization of New York City is so radically different from that of the other cities mentioned, it has been deemed wise to say a word in explanation thereof, before describing further the court with which this study is concerned. The city embraces five counties and five boroughs, the counties being political subdivisions of the state, and the boroughs being subdivisions of the municipality. The borough of Manhattan is coterminous with New York County, the borough of The Bronx with Bronx County, the borough of Brooklyn with Kings County, the borough of Queens with Queens County, and the borough of Richmond with Richmond County. This difference in political organization with the separate county governments, explains the greater lack of uniformity in the courts of New York City than in the other cities studied.

The courts of the borough of Manhattan which have criminal jurisdiction are: the City Magistrates' Courts, the Court of Special Sessions, the Court of General Sessions, and the Supreme Court. All but the last named court are exclusively criminal

courts. In the other counties the jurisdiction of the Court of General Sessions is exercised by the criminal parts of the county courts. In other respects the courts of these boroughs are the same as those of Manhattan. Since the enactment of the Inferior Criminal Courts Act in 1910,<sup>1</sup> the jurisdiction of the City Magistrates' Courts and the Court of Special Sessions has been coterminous with the whole city.

The Magistrates' Court is a court of first instance and is held by a city magistrate who acts as both judge and jury. In these courts are arraigned persons charged with the commission of (1) a felony, or (2) a misdemeanor, or (3) a violation of a law (sometimes spoken of as an "offense") or ordinance not classified either as a felony or misdemeanor. It is the duty of the magistrate to determine whether he shall discharge or hold to await the action of the grand jury a person charged with committing a felony, or hold for trial at the Court of Special Sessions a person charged with committing a misdemeanor or reduce the degree of the crime upon which the defendant is arraigned. In the third class of cases, he has summary power and jurisdiction to determine guilt or innocence and to sentence those convicted. As already stated, in New York City, crimes are classified into felonies, misdemeanors, and offenses. Persons charged with offenses are tried in the Magistrates' Courts; with misdemeanors, in the Court of Special Sessions; and with felonies, in the Court of General Sessions for the borough of Manhattan and in the County Courts for all other boroughs. Felonies may also be tried in the Supreme Court in all counties. The Magistrates' Courts and the Court of Special Sessions sit without a jury. This latter court consists of three judges, determination being by a majority. In these two courts are heard most of the cases involving sex delinquency, corresponding to those tried in the courts in other cities previously studied.

The New York laws on the subject of sex delinquency are many and varied:

<sup>1</sup> Chap. 659, Laws of New York, 1910. This act was amended in 1912, '13, '14, '15, '17, '18, '19, '21, '22.

A prostitute may now be convicted and committed under a bewildering number of statutes, among others, the New York Consolidation Act, Code of Criminal Procedure, the Inferior Criminal Courts Act, State Charities Law, Tenement House Law, Penal Law, Chap. 439 of the Laws of 1912, and Chap. 353 of the Laws of 1886. Likewise the keeper of a bawdy house makes herself liable to punishment under the Penal Law, Code of Criminal Procedure, Liquor Tax Law, Tenement House Law, Public Health Law, White Slave Traffic Act and the Immigration Laws.<sup>1</sup>

Because of this diversity of statutes, which not infrequently makes one act at the same time an offense, a misdemeanor, and a felony, the crime may be triable in the Magistrates' Courts, in the Court of Special Sessions, or in the Court of General Sessions, depending on the charge upon which the complaint is based. The complainant is generally a police officer, and he determines, frequently without consulting the District Attorney, whether the charge as originally made be a felony, misdemeanor, or offense. The custom seems to be to make most prostitution cases upon charges that can be tried summarily in the Magistrates' Court, so that a speedy disposition may be secured. The Magistrates' Court designated to hear prostitution cases in which women are defendants in the boroughs of Manhattan and the Bronx is the Women's Court. No special Magistrates' Court has been designated to hear prostitution cases in which the defendants are men. In the latter case, the charge is filed and the trial takes place in the court located in the district in which the offense occurred. It will thus be seen that a special study of men's cases is impracticable, because of the fact that they are scattered among eight different courts in Manhattan and the Bronx alone. Furthermore, none of these courts are special courts dealing with sex delinquency, to which this study has been limited.

The Women's Court of Manhattan, however, is a specialized court. Cases of women and girls, involving prostitution or in-

<sup>1</sup> Spingarn, *Laws Relating to Sex Morality in New York City*, pp. xi-xii, Introduction.

corrigibility (generally coupled with sex delinquency) are the only ones tried. Preliminary hearings of petit larceny cases (shop-lifting) are held, and these defendants are bound over for trial in Special Sessions. All women arrested in Manhattan and the Bronx for soliciting, street-walking, offering to commit prostitution, committing prostitution, and knowingly residing in a house of prostitution in a tenement, as well as most women who rent rooms for the purpose of prostitution, who permit a place under their control to be used for such purpose, or who procure another for such purpose are tried in this court. As a matter of fact, the main volume of prostitution in New York passes through this court.<sup>1</sup> Inasmuch as Manhattan contains the "White Lights," the principal theaters and other commercialized amusements, and the principal hotels, cafés, and cabarets, and is constantly thronged with transient visitors and sightseers, this section is chosen by the prostitute for her main *locus operandi*. It is here that she can find the bulk of her customers, and it is also here that the potential customer turns to seek the prostitute. The echoes of this business of prostitution are heard in the Women's Court. A study of this court, therefore, should give a picture of the manner with which prostitution is dealt with in the city of New York. The report of the Committee of Fourteen for 1920 contains the following statement:<sup>2</sup>

With the decrease of disorderly house cases in the Court of Special Sessions to a comparatively inconsiderable number, due to the change of vice conditions and amendments to the law, the Women's Court has become the center of legal proceedings to suppress prostitution in New York City.

The present Women's Day Court is a Magistrates' Court which has been specially designated and set aside, by a resolution of the Board of Magistrates under authority of Sec. 77 of

<sup>1</sup> In 1920, 882 defendants were convicted for prostitution in the Women's Court of Manhattan and the Bronx; while only 113 were convicted in Brooklyn and one in Queens. The Finger-print Bureau shows no prostitution cases from any of the other boroughs for that year.

<sup>2</sup> Page 19.

the Inferior Criminal Courts' Act, as amended by Chap. 419 of the Laws of 1918, for prostitution cases in which women only are defendants. The resolution <sup>1</sup> was enacted on June 28, 1918. The present court began its sessions in April, 1919.

<sup>1</sup> WHEREAS, it is provided by Sec. 77 of the Inferior Criminal Courts' Act, as amended by Chap. 419 of the Laws of 1918, that the sessions of the Separate Court for Women, heretofore held at night, may by a resolution of the Board of Magistrates be held either wholly or partly in the day time, and that said Board shall, if said Separate Court for Women be closed earlier than one o'clock in the morning, make suitable provision for the immediate arraignment of women defendants arrested too late to be arraigned in the day court or said women's Separate Court and before one o'clock in the morning who shall demand an immediate hearing; and

WHEREAS, it is provided by Sec. 70 of said act, as amended, that the Board of Magistrates may provide for holding in any borough such special City Magistrate Courts or Courts of Special Sessions for the trial of specified classes as they shall determine; and

WHEREAS, it is further provided in said Section 70 that, except as otherwise provided in such act, the territorial jurisdiction of all City Magistrates' Courts other than City Magistrates' District Courts, shall be coterminous with the city, unless the boundaries thereof within the city are otherwise prescribed by the Chief City Magistrate:

THEREFORE, BE IT RESOLVED, that the Separate Court for Women for the Boroughs of Manhattan and the Bronx, known as the Ninth District City Magistrates' Court, be held wholly in the day time on each day of the week, provided that the Chief City Magistrate may dispense with the Sunday sessions of the Court if in his judgment the public interest will not suffer thereby; that said Court shall open at 10:30 o'clock in the morning and shall not close earlier than 5 o'clock in the afternoon; that the City Magistrate assigned thereto shall be in attendance thereat, except during a reasonable recess; and that afternoon sessions may be dispensed with upon Saturdays, Sundays (unless no sessions at all), and legal holidays;

AND BE IT FURTHER RESOLVED, that all women arrested too late to be arraigned in the day court or said Women's Separate Court and before one o'clock in the morning, who shall demand an immediate hearing, shall be arraigned in the Men's Night Court and there detained, released, or paroled pending trial in the Separate Court for Women, and that all women arrested when said Separate Court for Women shall not be in sessions but when a district court is sitting shall be arraigned in the Second District City Magistrate's Court, as at present provided by resolution of the Board of June 30, 1913, adopted pursuant to Section 78 of the said Inferior Criminal Courts' Act;

AND BE IT FURTHER RESOLVED, that pursuant to said Sections 70 and 77 of said act, and in order to carry out the purpose and intent thereof, said Separate Court for Women is hereby declared to be a special court and shall hear and determine all cases and proceedings against women as follows: any violation of

This court is a continuation of the Women's Night Court, established in 1910, which itself was an outgrowth of the Night Court for Men and Women begun in 1907. The latter court was located in the Jefferson Market Building and was established so that a speedy trial might be given by the magistrates to those arrested for petty offenses after the close (4 p. m.) of the regular sessions of the district courts.

The Page Commission Report, Inferior Criminal Courts, 1910, on page 45, says:

The Night Court was established pursuant to the provisions of Chap. 598 of the Laws of 1907. The purpose of the enactment was to put a stop to the evil known as the station-house bond. It was claimed that certain of the police and certain bondsmen were in

---

Section 150 of the Tenement House Law; any violation of Subdivisions 3 and 4, Section 887 of the Code of Criminal Procedure; any violation of Subdivision 2 of Section 1458 of the Consolidation Act; any violation of Section 1466 of said Consolidation Act, as amended, and commonly known as Chapter 436 of the Laws of 1903, relating to wayward and incorrigible girls or intemperate women; any violation of Section 1146 of the Penal Law (keeping disorderly house); any and all offenses of a prostitutional nature, at present or hereafter defined by law; any violation of the penal law known as petit larceny, where the same shall have been committed in a retail mercantile establishment, commonly known as shoplifting. All cases and proceedings against men and women charged with offenses arising out of the same transactions shall be disposed of as heretofore;

AND BE IT FURTHER RESOLVED, and it is hereby recommended to the Chief City Magistrate, that he continue the territorial jurisdiction of said Women's Separate Court as at present under the powers vested in him by Section 70 of said act;

AND BE IT FURTHER RESOLVED, that said day sessions shall commence as soon as practicable and immediately upon the securing of suitable court room accommodations, and that it be referred to the Chief City Magistrate to select such court room accommodations, which shall be located as near as may conveniently be to the place of detention for women as hereinafter provided;

AND BE IT FURTHER RESOLVED, that the Chief City Magistrate confer with the Police Commissioner and the Commissioner of Corrections to the end that a suitable place of detention for women may be selected and designated by said Police Commissioner pursuant to Sec. 359 of the Greater New York Charter, and that suitable rules and regulations may be adopted relative to the acceptance of bail by the police lieutenant in charge there and to the fixing of responsibility therefor.

league, so that by constant arrests of prostitutes these women were compelled to get bail in order to be released until the following morning, and for that bail to pay heavily to the professional bondsmen.

Previously, because of inability to give bail for appearance in court the next morning, many of the defendants spent the night in jail, regardless of innocence or guilt. The giving of an immediate trial was expected to dispense with the necessity of the defendant's seeking to make bail, thus minimizing the bail-bond evil, which was then considered serious.

This court was not established as a special court to deal exclusively with prostitution cases, male and female. Many other types of offenses were also heard. Subd. 4 of Sec. 887 of the Code of Criminal Procedure had not yet been enacted in its present form. There was no law penalizing the male customer, and the prostitute was generally brought in under Sec. 1458 of the Consolidation Act for soliciting or loitering on the streets for the purpose of prostitution. It concentrated the prostitution cases in one court, however, and thereby focused attention upon the problem of prostitution. This no doubt had its influence upon the Page Commission which in 1910 recommended the enactment of the Inferior Criminal Courts Act (Chap. 659, Laws 1910) with its Sec. 77, providing for a separate Night Court for Women,<sup>1</sup> and other progressive provisions such as the assignment of magistrates to the court by the Chief City Magistrate, and for the establishment of a Finger-print Bureau in prostitution cases.

Chief Magistrate McAdoo, in Report Board of Magistrates, New York City, First Division, 1910, on pages 11 and 12, says:

<sup>1</sup> Page 48, Page Commission Report on Inferior Criminal Courts, 1910, contains the following statement:

"The establishment of a night court for women only will undoubtedly limit the number of doubtful male characters who are seen from time to time among the spectators at the night court. It will give an opportunity for concentration of effort in relation to cases of women and will enable those philanthropically inclined more effectively to give their assistance to the prisoners as well as to the Magistrates and probation officers."

The new law made radical provisions with reference to new courts. It provided for two night courts, one for men and one for women, thus separating the sexes and doing away with the disgraceful conditions which formerly prevailed in a single court where promiscuous throngs of degenerate and wretched unfortunates, professional criminals, and minor offenders of both sexes, sometimes only partly sobered from the effects of alcohol, were herded together nightly.

The law gave to the Chief City Magistrate the right to name magistrates for these courts. In the Night Court for Women, where we deal to a great extent with difficult and delicate questions relating to the social evil, and with the enforcement of the law making for decency and order on the public streets, especially after nightfall, I deemed it best in order that we might get consistency, arising from experience, that three magistrates should be specially assigned for this work, instead of allowing the usual rotation of all the magistrates to this court. This plan has worked admirably. Three conscientious, painstaking, and able magistrates do the work here, and the policy of the court is, while giving every possible opportunity for the defense and conducting the trials with scrupulous fairness, that there shall be coöperation with the police to the extent at least of keeping the streets and thoroughfares of the city free from what would otherwise be an intolerable nuisance. My own idea has been to the effect that fines in these cases are practically useless; that when there is any chance for reformation, probation on commitment to a reformatory is the best course to pursue. But where the defendant, convicted, is an incorrigible professional, the best punishment is a determinate sentence to the Workhouse. This court has practically killed the business of the professional bondsman, and, as the fines were usually paid by the keepers of the assignation houses or the traffickers in "white slaves," to fine them only encouraged the vice than otherwise, and made the city a partner, as it were, with these wretched panders who make out of vice a profitable business.

#### LAWS RELATING TO SEX DELINQUENCY

In order to present a picture of the limitations as well as the possibilities of the New York court relative to sex delinquency, a brief résumé of the laws is given herewith.

The law which brings most of the offenders to the Women's



Court is Subd. 4 of Sec. 887, of the Code of Criminal Procedure. This law reads as follows:

The following persons are vagrants:

4. A person (a) who offers to commit prostitution; or (b) who offers or offers to secure another for the purpose of prostitution, or for any other lewd or indecent act; or (c) who loiters in or near any thoroughfare or public or private place for the purpose of inducing, enticing, or procuring another to commit lewdness, fornication, unlawful sexual intercourse, or any other indecent act; or (d) who in any manner induces, entices, or procures a person who is in any thoroughfare or public or private place, to commit any such acts; or (e) who receives or offers or agrees to receive any person into any place, structure, house, building, or conveyance for the purpose of prostitution, lewdness, or assignation or knowingly permits any person to remain there for such purposes; or (f) who in any way, aids or abets or participates in the doing of any of the acts or things enumerated in subdivision four of section eight hundred and eighty-seven of the code of criminal procedure; or (g) who is a common prostitute who has no lawful employment whereby to maintain herself.

Sec. 889a of the same code provides as follows:

In the trial of any person charged with a violation of subdivision four of section eight hundred and eighty-seven of the code of criminal procedure, testimony concerning the reputation of the place wherein the offense occurred or of persons who frequent or reside therein shall be admissible in evidence in support of the charge.

Careful note should be taken of clause "a" of Subd. 4 of Sec. 887: "Who *offers* to commit prostitution." This embraces a complete offense, and under it, most of the charges are now being brought. This charge can be proved by a minimum of evidence, the following being sufficient to sustain a conviction:

Prostitute: "Do you want to have a good time?"

Complainant: "Yes; how much will it cost?"

Prostitute: "I'll show you a good time for five dollars."

Complainant: "All right."

The peculiar advantage of this law, from a law enforcement standpoint, is the establishment of the offense without any immoral act on the part of the complaining witness.

The evidence may be analyzed as follows:

The offer, of course, is obvious. The purpose, prostitution, is proved by the mention of money. Prostitution being defined as sexual intercourse for gain, or indiscriminate sexual intercourse without hire, the proof of offering for money establishes the element of indiscriminateness or promiscuity.

Rooming-house landladies who tacitly permit prostitution, and taxi chauffeurs who permit the use of their cars for such purpose are now charged under clause "e" of Subd. 4.

Most of the girl sex offenders under the age of 21 are charged with incorrigibility. The Incorrigibility Statute is known as Chapter 436 of the Laws of 1903 and reads as follows:

1. Whenever any female over the age of twelve years shall be brought by the police or shall voluntarily come before any court or a committing magistrate in the city of New York, and it shall be proved to the satisfaction of such court or magistrate by the confession of such female, or by competent testimony, that such female (first) is found in a reputed house of prostitution or assignation; or in company with, or frequenting the company of thieves or prostitutes, or is found associating with vicious and dissolute persons; or is wilfully disobedient to parent or guardian, and is in danger of becoming morally depraved; or (second) is a prostitute or is of intemperate habits, and has not been an inmate of the penitentiary or (third) is convicted of petit larceny and is over sixteen years of age and has not been an inmate of the penitentiary, such court or magistrate may judge that it is for the welfare of such female that she be placed in a reformatory, and may thereupon commit such female to one of the following reformatory institutions, namely, the Protestant Episcopal House of Mercy, New York, Roman Catholic House of Good Shepherd (foot of Eighty-ninth Street), in the city of New York, or the New York Magdalen Home, which said institutions are hereby severally authorized to receive and hold females committed under this act.

3. Every commitment made under this act shall state the name and

age of the female so committed, together with the cause of her commitment, and shall designate the institution to which she is committed, which institution shall, when practicable, be one which is conducted by persons of the same religious faith as such female, and such commitment shall also state the term of the commitment, which, if the female so committed is an adult, shall be three years; or, if such female is a minor, during her minority, unless sooner discharged by the trustees or managers of such institution, provided, however, that no commitment made under this act, which shall recite the facts upon which it is based, shall be deemed or held to be invalid by reason of any imperfection or defect in form.

The purpose under which this law was enacted was the protection of the minor girl found associating with vicious or dissolute persons and in danger of becoming morally depraved. The majority of complaints in these cases are made by parents or guardians. However, the police occasionally bring in minor girls who are found under such circumstances as would make them subject to the law.

Prior to 1915 the law most frequently used to bring offenders into the Women's Court was Section 1458 of the Consolidation Act of 1882. However, this law was still being used during the period covered by the tables, viz: the first six months of 1920. During 1922, Subd. 4, Sec. 887 of the C. C. P., which is a much newer law, was displacing Sec. 1458, for street solicitation. This is due to the fact that much less proof is necessary to convict under Subd. 4.

Sec. 1458, Subd. 2, reads as follows:

Every common prostitute or night-walker loitering or being in any thoroughfare or public place for the purpose of prostitution or solicitation, to the annoyance of inhabitants or passers-by shall be deemed to be guilty of disorderly conduct.

There has been some difference of view as to the proper construction of this section, but the preponderance of judicial and professional opinion leads to this conclusion:

That the cases divide themselves into two classes: (1) where the woman, being a common prostitute or night-walker, loiters in any

public place for the purpose stated; or (2) where the woman actually solicits. In practice, nearly all of the cases that come before this court are for actual solicitation, and the evidence divides itself into two forms: (1) where the police officer in plain clothes, or a citizen, gives evidence that he was solicited by the defendant for the purpose named in the act; or (2) where the police officer in plain clothes testifies that he saw the defendant soliciting, in which her actions and the character of the neighborhood are also an evidence. When it is proved that the woman has solicited, *she establishes her character as a common prostitute or night-walker*.<sup>1</sup>

The former is classified as soliciting, and the latter as loitering.

In this class of cases called "loitering" there is circumstantial as well as direct evidence. There is no rule of law that rules out circumstantial evidence in these cases while it allows it for murder and the higher felonies. The Magistrate has before him the complainant, the woman defendant, and all the other circumstances that present themselves to him, sitting as Judge and jury, and this no doubt is the reason that mistakes leading to injustice are so rare as to be practically negligible. The finger-prints, as time goes on, show a professional and determined array of lawbreakers.<sup>2</sup>

Keepers of disorderly houses, when charged under Sec. 1146 of the Penal Law, are tried in the Court of Special Sessions. A subsequent table will show that the number of disorderly house cases has greatly diminished during the past ten years. This is no doubt due to the extraordinary activity of the New York law enforcement authorities in the repression of prostitution.

Keeping a disorderly house is punishable by Sec. 1146 of the Penal Law, which penalizes the keeping or maintaining of a house of ill-fame or assignation of any description or place for the encouragement or practice, by persons, of lewdness, fornication, unlawful sexual intercourse, or any other indecent or dis-

<sup>1</sup> Annual Report, Board of Magistrates, First Division, New York City, 1911, p. 31.

<sup>2</sup> Loc. cit.

orderly act. The penalty is imprisonment for not more than one year, or a fine of not more than \$500.00, or both, together with the voiding of the lease. Keepers of disorderly or bawdy houses may also be punished as disorderly persons under Sec. 899 of the Code of Criminal Procedure, penalty for which is a determinate sentence of not more than six months to the House of Correction, or under Sec. 150 of the Tenement House Law, if the offense occurs in a tenement, or under clause "e" of Subd. 4, Sec. 887, C. C. P., which have already been quoted. Cases under Section 899 are triable in the Magistrates' Court, female defendants, of course, being tried in the Woman's Court. No record can be found of any such cases having been brought.

Many of the offenders who are brought to the Women's Court are charged under Sec. 150 of the Tenement House Law. This law includes five types of offenders: (1) one who solicits another to enter a tenement; (2) one who exposes the person for the purpose of prostitution or other indecent act; (3) one who commits prostitution in a tenement; (4) one who knowingly resides in a house of prostitution in a tenement; and (5) one who keeps a house of prostitution in a tenement, or rents rooms therefor.

Sec. 150 reads as follows:

A person who (1) solicits another to enter a house of prostitution or a room in a tenement house or any part thereof for the purpose of prostitution; or (2) indecently exposes the private person for the purpose of prostitution or other indecency; or (3) commits prostitution in a tenement house or any part thereof; or (4) knowingly resides in a house of prostitution or assignation or ill-fame of any description in a tenement house; or (5) keeps or maintains a house of prostitution, assignation, or ill-fame of any description in a tenement house for such purpose, shall be deemed to be a vagrant, and upon conviction thereof shall be committed to the county jail for a term not exceeding six months from the date of commitment, or, if the person convicted is a female she may be placed upon probation except in the following cases: (a) when the offense was that of keeping or maintaining a house of prostitution, assignation, or ill-fame in a tenement house, or (b) when the female has been convicted pre-

viciously of any offense or crime. The procedure in such case shall be the same as that provided by law for other cases of vagrancy.

The magistrate has jurisdiction to try and to determine finally, cases of this character.

Inasmuch as the male exploiter of prostitution does not pass through the Women's Court, the laws relating to this phase of the subject will not be set forth in full. The male exploiter, the pimp, and the male disorderly-house keeper can be punished under Subd. 4 of Sec. 887 of the Code of Criminal Procedure, or as a disorderly person under Subd. 4 of Sec. 899, or under Sec. 150 of the Tenement House Law. All of these offenses are punishable in the Magistrates' Court in the district in which the offense occurred and not before a special court.

Pimps are punishable also, under Sec. 1148 and keepers of disorderly houses under Sec. 1146 of the Penal Law. These are misdemeanors and are triable in the Court of Special Sessions.

White-slavery, the compulsory prostitution of women, and pandering, are punishable under Sec. 2460 of the Penal Law. These are felonies, punishable by imprisonment from two to twenty years, and are triable in the Court of General Sessions in Manhattan, and in the County Court of the other counties, or in the criminal branch of the Supreme Court.

The law which most concerns the Women's Court is, of course, the Inferior Criminal Courts Act.<sup>1</sup> As already stated, it was under the authority of this Act that the Women's Court was created. This Act provides for the organization of both the Court of Special Sessions and the Magistrates' Courts. The provisions relating to the City Magistrates' Courts are contained in Secs. 70-115. These provide, generally, for the organization of the Board of Magistrates, who are the rule-making body, and vest certain administrative duties in the Chief City Magistrate.

The sections that apply particularly to the Women's Court are Secs. 77 and 77a. These read as follows:

<sup>1</sup> Chapter 659, Laws of New York, 1910, as amended by the Laws of 1912, '13, '14, '15, '17, '19, '21, '22.

Sec. 77. Night Courts; separate court for women. On and after the first day of September, nineteen hundred and ten, the Board of City Magistrates shall provide for the holding of at least two night sessions of the court, one of which shall be exclusively for the hearing of cases and proceedings against men and against men and women charged with offenses arising out of the same transaction, and one exclusively for the hearing of cases and proceedings against women. Said night sessions of court shall be held in different buildings, and each night court shall be open at eight o'clock in the evening, and shall not close earlier than one o'clock in the morning, or at such later hour as the Chief City Magistrate, in his discretion, shall deem best for the public interest. All persons who are arrested after the day courts are closed, or at an hour too late to be brought to a day court, for offenses other than felonies, committed within the territorial jurisdiction of the night courts, must be brought to the said night court, and such night courts shall have jurisdiction to hear, try, and determine all cases coming within the summary jurisdiction of a City Magistrate. The Board of City Magistrates may, however, if they deem it best for the public interest, direct that the separate court for women be held either wholly or partly in the day time, anything in this act to the contrary notwithstanding.

The Board of City Magistrates shall, however, if said women's separate court be closed earlier than one o'clock in the morning, make suitable provision for the immediate arraignment of such women defendants arrested too late to be arraigned in a day court or said women's separate court and before one o'clock in the morning who shall demand immediate hearing. The lieutenant or other person in charge of the station-house shall immediately inform all women arrested too late to be tried in the day court or women's separate court and before one o'clock in the morning of such right to immediate arraignment. There shall be established on October first, nineteen hundred and ten, a place of detention, under the jurisdiction of the Commissioner of Correction, convenient to the night court for women, where women may be detained both before and after being heard, and in such detention place the young and less hardened shall be segregated, so far as practicable, from the older and more hardened offenders. Any magistrate, pending adjournment of the trial, or after conviction pending investigation before imposition of sentence, may, in his discretion, parole in the custody of the probation officer any

female arraigned in any one of the Magistrates' Courts for any offense other than a felony; or may, subject to release on bail if before conviction, commit her temporarily to such institution for the reception of females as in his judgment is most suitable. Any such institutions are hereby authorized and directed to receive such females upon such short commitments. But no such commitment shall be for a longer period than four days, except with the consent of the defendant.

Pending the completion of a suitable place of detention, young and less hardened offenders arrested when the separate court for women is not in session shall be forthwith conveyed to such institutions for the reception of females as may have been designated by the Chief City Magistrate as suitable for such purpose, to be there temporarily detained, subject to release on bail, until arraigned, in lieu of detention in a station-house or prison. And such institutions are hereby authorized and directed to receive such females. Any magistrate, pending adjournment of the trial, or after conviction pending investigation before imposition of sentence, may, in his discretion, parole in the custody of the probation officer any female arraigned in any one of the Magistrates' Courts for any offense other than a felony; or may, subject to release on bail if before conviction, commit her temporarily to such institution for the reception of females as in his judgment is most suitable. Any such institutions are hereby authorized and directed to receive such females upon such short commitments. But no such commitments shall be for a longer period than four days, except with the consent of the defendant.

Sec. 77a. Remand of female prisoners for observation and study. Whenever in the city of New York any female is convicted before a Magistrate of violation of section eight hundred and eighty-seven of the Code of Criminal Procedure except subdivision eight thereof; of violation of subdivision four of section eight hundred and ninety-nine of the Code of Criminal Procedure; of violation of section fourteen hundred and fifty-eight of the New York City Consolidation Act except subdivision one thereof; of violation of section one hundred and fifty of the Tenement House Law; of frequenting disorderly houses or houses of prostitution for the purposes of prostitution; or of vagrancy, or of public intoxication; such Magistrate may, in his discretion, notwithstanding any provisions of the law to the contrary, commit such female to the hospital on Blackwell's Island under the jurisdiction of the Commissioner of Correction, or to any suitable



public hospital, or to any institution in the city of New York carrying on reformatory work for women in which facilities are available for the physical and mental examination of such female, or to the Waverly House, the home maintained by the New York Probation and Protective Association, or to the Florence Crittenton Home, maintained by the Florence Crittenton League, for study and observation, for a period not to exceed fourteen days; and such period may be extended by the Magistrate with the consent of the defendant for an additional period not to exceed fourteen days; and such institutions are hereby authorized to receive such female so committed. Whenever any such female is thus committed, the warden, superintendent, or other officer in charge of such institution shall cause an investigation to be made of the physical and mental condition of the said female and shall certify to the court the results of such study and observation.

#### APPEALS

Prior to July 1, 1922, appeals from a conviction by the magistrates in Manhattan were heard in Part One of the Court of General Sessions. Under this procedure the hearing on appeal was before only one judge and not by a bench of three or more, as is the case in most appellate courts. These appeals were not trials *de novo*, but went up on the stenographic record.

This appeal procedure was a survival of the days when magistrates were not necessarily lawyers, and were called police justices. When the qualifications for magistrates were increased, the law relating to appeals was for some reason left unchanged. This resulted in the anomaly of a judge who might not be a specialist in a particular class of cases, reviewing and passing finally upon the decisions of a magistrate who was so qualified.

While there were relatively few appeals from the convictions in the Women's Court, many of them involved points of considerable importance. The appeal procedure was changed by the Legislature in 1922 (Chap. 595, Laws 1922), so that appeals now go to the Court of Special Sessions, where they must be heard by an appellate bench of three judges.

The case still goes up on the stenographic record as in the usual appellate procedure. The Appellate Court may reverse

the conviction and discharge the defendant or order a new trial either before itself or in the Magistrates' Court. It also has power to modify the sentence imposed by the magistrate.

#### PHYSICAL ASPECTS OF THE COURT

The Women's Day Court is located in the Jefferson Market Court Building, at the corner of 10th Street and 6th Avenue, in the Borough of Manhattan. The building is of combination brown stone and brick, and of Gothic and Plantagenet architecture. It is connected with the women's temporary detention prison, which is of the same architecture.

The building contains two Magistrates' Courts, the entire second floor being given over to the Women's Day Court and its accessories.

During court hours the main entrance to the building is thronged with women offenders, shyster lawyers, professional bondsmen, men who appear to be pimps, etc. Inasmuch as this entrance serves both courts, the rule of the Women's Court against curiosity seekers probably cannot apply.

The Women's Court is approached by a winding stone staircase, which furnishes ingress and egress to the rooms of the Probation Department, as well as to the main court room. The main entrance to the court room is at its rear. On the opposite side is a door leading into the complaint room. The court room is probably large enough to accommodate 150 to 200 people. The room has somewhat the appearance of a church, the windows being ornamented and stained, and the benches resembling church seats. The ceiling is unusually high—probably not less than 40 feet.

A low iron railing separates the spectators from the court proper. Immediately in front of the railing are two rows of benches which during court hours are occupied by members of the Vice Squad, probation officers, welfare workers, etc. Attorneys are required to occupy the front benches immediately behind the railing. Between the iron railing and the Judge's bench is a space about twenty feet wide. On one side is the

door leading to the probation rooms and to the Judge's Chambers, and on the other side is the door leading to the Detention Rooms, Finger-print Room, Physical Examination Room, etc., all of which are in turn connected by a runway with the women's prison.

The Judge's bench is on a raised platform, which is set off from the rest of the court room by a solid wooden railing. Immediately in front of the bench and below the platform is a long table with chairs for the defendant, her attorney, and the District Attorney. At one end of this table, at the Judge's left, is a small table for the court reporter, and immediately adjoining the court reporter, on a small platform partially inclosed by the solid railing is the witness chair. This arrangement brings the witness very close both to the stenographer and to the Judge. At the Judge's right is the desk occupied by the Clerk of the Court with a table holding the large docket book, etc. Immediately behind the Judge, and at the front of the Court, is a massive, heavily carved, wooden screen, upon which is the American flag. Behind this screen is a desk for the Clerk's assistant, and the steel cases containing the records and files of the Court, the latter objects being hidden entirely from view.

The court room is spacious, well-lighted, and well-ventilated, and would leave nothing to be desired, were it not for its location. It is directly against the elevated railway. Whenever an elevated train passes, the noise is so deafening that it is generally necessary to halt proceedings for several moments, if the front windows are open.

The spectators in the audience are composed mostly of defendants on bail and awaiting trial, witnesses, and lawyers. A uniformed court attendant makes it his practice to question those present, and to ask those unable to show that they have business in the Court to leave. The following sign is posted in front of the main entrance:

NOTICE: No person will be allowed in this Court room during the sessions of the Court except persons connected with cases, such as witnesses, defendants, and members of defendants' families, lawyers,

newspaper reporters, students of sociology, and persons to whom permission is granted by the presiding Magistrate. No idlers or sightseers are permitted to attend. (Signed) William McAdoo, Chief City Magistrate.

No one is permitted to enter the door leading to the Temporary Detention Room excepting probation officers and women court attendants. This excludes all men excepting the finger-print expert. On this door is a notice to the effect that police officers and male attendants of the Court, except the finger-print clerk, are to be excluded from the Detention Room; that the door is to be kept locked at all times except when the Court is in session; and that the key is to be in possession of the warden of the prison.

The Detention Rooms consist of three comfortable rooms, all clean and well-lighted, with easy chairs, settees and tables; having more the appearance of office waiting rooms than of rooms of detention. These rooms replace the old-time bull-pen into which prisoners formerly were herded while awaiting their turn for trial.

The Finger-print Room contains the facilities for taking finger-prints. The records and files of the department, however, are kept in the record rooms on the floor below, and are carried back and forth by means of a dumb-waiter.

#### DETENTION HOUSE

For many years plans have been discussed for a proper place of detention for women arrested in New York. Until tried in the Men's Night Court in 1907, arrested women were detained in precinct police stations<sup>1</sup> in charge of a matron. For the past 15 years, with the exception of a brief period discussed elsewhere,<sup>2</sup> women arrested in Manhattan or the Bronx (unless they succeed in making bail) have been taken to the Jefferson Market Prison to await trial. The arresting officer may take certain

<sup>1</sup> The bail-bond evil in this connection has been discussed on pp. 397-399.

<sup>2</sup> P. 413.

young girls, who presumably are first offenders, to the Florence Crittenton Home, a privately maintained detention home described on page 486. The arrested woman is allowed to communicate with her friends (through the matron) by letter, wire, or telephone.

Detention quarters in Jefferson Market comprise four short tiers of 14 cells each, extending in two rows, back to back, with a corridor running along each side. The barred door at the end of each row is locked. A row of cells in the lowest tier is used for colored first offenders and the rows on the second tier are reserved for white first offenders<sup>1</sup> and those charged with shop-lifting. The fourth tier is used for inmates from the Workhouse assigned for duties in the Detention House: cleaning, washing, serving meals, etc.

The cells, which are about six by seven feet in size, have recently been fitted out with modern plumbing, although formerly, as now, each cell had a toilet and a basin with running water. Bedding is changed daily. Meals for all the prison inmates, men and women, are prepared by a chef and sent up on the elevator, and the women from the Workhouse serve the girls in each row, who sit around a table in the corridor.

Four matrons, all of whom are non-resident, are on duty, three in the day and one at night. Each works 12 hours, the night matron relieving the others at 7 p. m. The matrons have for their own use an office and a small kitchen.

The Detention House accommodates 56 individuals, the count varying from 20 to 40. On the day the house was visited, the count was 22. Women are said to be held there seldom longer than a week.

Detained women await the call of their case in rooms and corridors opening off the Women's Court. Supposed first offenders occupy one room; those charged with shop-lifting or petit larceny, an adjoining room. Each room receives plenty of light and air

<sup>1</sup> The matron in charge has been there for four years, having served as a workhouse matron for 13 years. She says that she readily recognizes the new and old offenders, and classifies them accordingly.

from an open window, and each has a toilet. Those awaiting trial for incorrigibility sit on a bench in the corridor running past these two rooms. At the end of a long corridor leading to the Examining Room, stands a large cell where old offenders are held while waiting for their call.

Defendants convicted in the court are turned over by a court attendant to the matron, who leads them to the Finger-print Room. She then records the woman's name and other pertinent facts. On the following day she takes her to the doctor's room for examination.

On July 1, 1921, the use of the Jefferson Market Prison as a place of detention was discontinued and not resumed until March 23, 1922. During the intervening months, women were detained in special quarters at the Workhouse. Usually they had to make at least six trips between the Court and the Workhouse before receiving sentence.

#### COURT PERSONNEL

The personnel of the Women's Court is comprised of the following:

1. A Judge, who is appointed by the Mayor for a term of ten years as a City Magistrate<sup>1</sup> and is assigned to the Women's Court by the Chief City Magistrate. Three Magistrates are specially assigned to this Court during the period of a year, and they serve interchangeably.

2. A Deputy Assistant District Attorney, appointed by the District Attorney of New York County.

3. The official court reporter, who is a male.

4. Three male bailiffs, called court attendants, who are civilian appointees. They are clad in blue uniforms with brass buttons. One of them is known as captain, and wears two bars as an insignia of that office.

5. Five women Probation Officers, one of whom acts as Chief Probation Officer for that Court. They are all appointed by the Board of Magistrates, and are assigned by the Chief Probation Officer to this Court.

<sup>1</sup> The annual salary of a Magistrate is at present \$8000.

6. A male clerk and two assistants, who are appointed by the Board of Magistrates and are assigned by the Chief Clerk of the Magistrates' Court to this Court.

7. One male finger-print expert.

8. One interpreter.

All of the above are selected from the eligible list of the City Civil Service, excepting the Judge and the District Attorney.

The Report of the Committee of Fourteen for 1920 contains the following statement relative to the assignment of magistrates:<sup>1</sup>

Shortly after his appointment as Chief City Magistrate in 1910, Judge McAdoo assigned four of his associates—Magistrates Barlow, Corrigan, Herbert, and Murphy—to sit in rotation in the Women's Night Court. The assignments of Magistrates Herbert and Murphy were continued until their appointment to the Court of Special Sessions in 1914 and 1915. Magistrate Barlow<sup>2</sup> would still be rendering great service in the Court if ill health did not prevent. Changes of assignment to the Women's Court have been made from time to time, and have included, in addition to those mentioned and those now serving, Magistrate Cobb, assigned 1916-1919, Magistrate Frothingham, 1915-1918, and Magistrate Marsh, 1915-1919.

The appointment of special magistrates to the Women's Court has proved most satisfactory, for not only were those who accepted the appointment interested in the peculiar problems of that Court, but they speedily became experts in the special problems of the Court and in the increasingly technical procedure of the cases.

\* \* \* \* \*

Judge McAdoo, for 1920, designated Magistrates McGeehan, Mancusco, and Norris to preside in the Women's Court; thus breaking for the first time his custom of so designating four magistrates. Judge McGeehan had twice previously been designated, but it was the first regular assignment of his two associates. Judge Norris had been appointed but recently a magistrate, and is the first woman to hold judicial office in New York City.<sup>3</sup>

<sup>1</sup> Report of the Committee of Fourteen, 1920, p. 22.

<sup>2</sup> Since deceased.

<sup>3</sup> Loc. cit., p. 37.

In 1921 Judges McGeehan, Norris, and Silberman were designated, and in 1922 Judges Hatting, Norris, and Silberman.

#### PROCEDURE

The usual procedure followed in non-jury criminal courts is observed in the Women's Court. Inasmuch as the court is not a court of record, all pleadings are oral. The charges tried summarily in this court, as before stated, are neither misdemeanors nor felonies but are minor contraventions of the law known as "Offenses." All offenses tried in this court are prosecuted on a written complaint which is sworn to before the magistrate by the complainant.

1. *Arrest.* All cases observed by the writer had been initiated by the police and arrest had been made either with or without a warrant except in charges of incorrigibility.<sup>1</sup> Inasmuch as practically all cases are brought in through police initiative it might be well to say a word about the organization of the police department relative to this kind of work. A special squad of plain-clothes men known as the Special Service Division operates from the central police headquarters and its territory covers the entire city. As a matter of fact, the bulk of its work is done in the "white-light district" of Manhattan which extends approximately from 30th Street to Columbus Circle, with Broadway as the center. This squad is composed of between 50 to 60 plain-clothes men. There is also a squad attached to headquarters known as the Headquarters Squad, of which about a half-dozen men are assigned to vice work, and operate directly under the Chief Inspector of Police. In addition there are squads of plain-clothes men assigned to each inspector, their territory being limited to the particular district assigned to the inspector. The number of men assigned to vice work on these squads varies in Manhattan from 10 to 20, depending on the district. The police very often base their action upon evidence in the form of complaints furnished by private organizations and private citizens. The plain-clothes police are so well organized and their ma-

<sup>1</sup> The use of warrants in this class of cases is now exceptional.



chinery for vice work is so well developed that every class of prostitute, high or low, eventually finds its way into the Women's Court.

Recent vice surveys by the American Social Hygiene Association have shown that at the present time there is probably not one open house of prostitution in the city of New York. It further shows that the bulk of prostitution which now remains, takes place in tenement houses, rooming houses, cheaper hotels, and taxicabs. Tables published in the reports of the Board of Magistrates indicate that the volume of prostitution in New York, judging from arrests and convictions, has probably decreased more than 70 per cent in the last ten years. Prostitution as it is now practiced in New York, therefore, is no longer open but is almost entirely clandestine. Therefore, the prostitute most frequently seen in the Women's Court is clandestine. The women arrested upon the street comprise two classes: (1) Those who are seen to accost other men and who are arrested for loitering, under Sec. 1458 of the Consolidation Act, and (2) Those who directly solicit the police officer. In the former case it is customary for the police to observe the prostitute accost two men before they stop her when the third man is accosted. When she has stopped the third man it is customary for the police to question the man in her presence and hearing as to the nature of the conversation between the woman and himself. If the man states that she asked him to have a good time and the price was stated, and if this statement is not denied by the prostitute, or is expressly admitted by her, the woman is arrested, charged with loitering. Inasmuch as no offense has been committed by the man he is allowed to proceed on his way. Examples of the evidence requisite to sustain a conviction will be given in another place. If the woman is arrested for soliciting an officer, she was likewise charged in 1920, the period of this study, under Sec. 1458, though she might have been charged under Subd. 4a of Sec. 887 of the Code of Criminal Procedure for offering to commit prostitution, the mere offer being sufficient to constitute an offense.

When police officers observe a woman appearing to be a prostitute pick up a man on the street, they follow the couple to the room to which they may go, which they enter after sufficient time has elapsed for incriminating evidence to be obtained. This is called a "jump-raid."<sup>1</sup> The jump-raid is also used where a definite complaint has been lodged against an apartment or room and where the police have had the premises under observation for some time. When they have seen what they believe to be a couple going into the room and apartment for the purpose of prostitution, a jump-raid is made ten or fifteen minutes later. The object of the jump-raid is to secure evidence as well as to make an arrest. The justification for the entering of the premises, however, is based upon the theory that a crime is being committed and that a portion of the crime has been committed in the view of the officer; namely, the solicitation, or the taking of a person into a place for an unlawful, immoral purpose. When the entry is made, the first question asked of the man and woman is whether or not they are husband and wife. If the police are satisfied that they are not, the man is questioned in the presence and hearing of the woman and the following colloquy generally ensues:

Officer addressing the man: "What did you come here for?"

Man: "For a good time."

Officer: "Were you going to pay any money?"

Man: "Yes, the woman said it would cost \$10."

Officer: "Did you pay her the money?"

Man: "Yes."

Officer, turning to the woman: "Did you hear what the man said?"

Woman: "Yes."

Officer: "Is it true?"

<sup>1</sup> "In these cases (jump-raids), the officers, having good reason to believe that a crime is being committed, enter private places without a warrant and from what is admitted by those found there, make the arrests. The conviction in these cases, therefore, depends upon the conditions found and upon the admissions made by defendants. A conflict of testimony is therefore more likely in these cases . . . Because of these conflicts, the magistrates are more hesitant to find the defendant guilty." Report, Committee of Fourteen, 1920, p. 30.

Woman: "Yes."

Officer: "Return the man his money."

Whereupon the woman surrenders a ten-dollar bill which the officer takes, giving the man another in its place. The officer takes the bill for the purpose of offering it in evidence at the trial. Observations are also made of the attire of the man or woman; of the condition of the bed, the character of the room. These facts may establish the offense by circumstantial evidence. In order to minimize perjury and corruption on the part of the police and to prevent them from changing their testimony between the time of arrest and the trial of a case, it is required that the arresting officer immediately fill out a statement on a form giving the material facts of the case which must be subscribed by the Desk Lieutenant and immediately forwarded to the presiding magistrate of the Women's Court. The following statement is a copy of an actual case which was sent in on the blank referred to with the names and addresses, of course, left blank:

# POLICE DEPARTMENT

City of New York

## STATEMENT OF ARRESTING OFFICER IN PROSTITUTION CASE

To Presiding Magistrate, 9th District Court

Time, 1.20 A. M.

Date, July 28, 1922.

1. Name and address of defendant: xx Manhattan Ave.
2. Name and address of man with whom found: John Doe, xx Boulevard.
3. Location of offense: xx Manhattan Ave.
4. Character of room in which found: Bedroom.
5. Condition of clothing: (a) Woman: Shirt and stockings; (b) Man: Underwear.
6. Where found in room: (a) Man: At bed; (b) Woman: On bed.
7. Condition of bed: Disturbed.
8. Statement of man: Woman offered to commit prostitution with him for the sum of \$15.
9. Purpose of visit: Prostitution.
10. Consideration paid: \$15.
11. Statement of woman in response to statement of man, if any: "Please let me go. I won't do it again."
12. Was money returned: Yes.

.....  
Desk Lieutenant    Precinct    Arresting Officer    Shield No.    Command

The male customer of the prostitute is rarely arrested because of the difference of opinion as to whether or not he is guilty of a violation of any law. Fornication is not an offense in the state of New York. The customer if guilty of any offense must be guilty of some offense under Subd. 4 of Sec. 887 of the Code of Criminal Procedure or else under Sec. 150 of the Tenement House Law. Under Subd. 4 the only clauses applicable to the customer would be clauses "d," "e," or "f" (see Subd. 4, page 401). A test case of a customer charged with violating clauses "d" and "f" was brought during 1921, in which one of the writers, Mr. Worthington, appeared as *amicus curiae*. In this case, known as the Breitung case, the facts were as follows:

The complainants and only witnesses were the two arresting officers. The complaint charged that at a certain hour at certain premises in the city of New York the defendant did induce, entice, and procure certain named women to commit lewd and indecent acts and did aid and abet and participate in such acts in violation of Subd. 4, Sec. 887 of the Code of Criminal Procedure. The officers testified that they observed the defendant enter the premises at about 3 p. m. and that at about 4.45 p. m. they went to the apartment in question and knocked on the door; that it was opened by a Mrs. K. who tried to push them out; that they walked into the bedroom and found the defendant lying in bed between two girls who were entirely nude and that the defendant was in his union suit. The witnesses disagreed as to whether such union suit consisted of B. V. D.'s or underwear of another make. There was no other conflict of testimony. Witnesses further testified that they had a conversation with the defendant and the two women in the presence and hearing of the defendant and that he had stated that he came "to get cooled off" and that he "had come for a good time." The defendant when asked if he had paid the girls any money, replied, "Yes, I gave them \$25 apiece." One officer also testified that when he entered the two girls arose from the bed and put on their clothes and the defendant sat on the edge of the bed and said, "I am guilty of all this. This is all my fault."

The defendant's attorney did not put the defendant upon the stand but at the close of the case moved to dismiss the complaint and discharge the defendant upon the ground that the evidence adduced by

the People was insufficient to constitute a crime under Sec. 887. Briefs were furnished by the District Attorney and by Mr. Worthington in behalf of the People, and by attorney for the defendant. The magistrate in a long opinion followed a decision of the Iowa Supreme Court which held that a statute which made it a crime to resort to a house of ill-fame for the purpose of prostitution did not apply to a man who went there as a customer but only to the actual female prostitute, because prostitution in the opinion of that Court was a practice of women only. On the point raised by the prosecution that the defendant, being an accomplice of the prostitute, was therefore a principal within the purview of the penal law, the magistrate has the following to say: "A man participating therein cannot be held as a principal because the nature of the act is such that he cannot in fact be a principal under any circumstances and, therefore, cannot be made a principal by Sec. 2 of the Penal Law."

The magistrate also cited an old New York case which holds that the person who purchases liquor is not an accomplice of the seller. His conclusion is as follows: "Only those who are connected with her (prostitute's) business and are, therefore, engaged in commercialized vice can properly be said to participate in and to aid and abet her in her prostitution."

As to the other clause, namely, inducing, enticing, and procuring, the opinion of the magistrate reads as follows: "The words 'induce, entice, and procure' read in connection with the word 'procuring' refers to the business of procuring, and the word 'procure' has nothing to do with the seeking of a prostitute as a personal companion. It relates to the business of obtaining a prostitute as a companion for a man; it refers to the business of a pander or procurer."

One or two other magistrates have taken a different view in their interpretation of the foregoing clauses and have convicted the male customer in uncontested cases. These have been so few, however, as to discourage the police from making arrests under charges of that character for fear of civil suits for false arrest, in case the defendant is discharged.

Subd. 2, Sec. 150, of the Tenement House Law, reads as follows: "A person who indecently exposes the private person for the purpose of prostitution or other indecency." It would

seem that an opening is left in this clause for the prosecution of the male customer, but up to the present time a test case has not been made thereunder, and no arrests, therefore, are being made of the customer under this section. Men are not infrequently convicted under Sec. 4 of the Tenement House Law for knowingly residing in a house of prostitution or assignation in a tenement house but the latter are generally pimps rather than customers of a prostitute.

2. *Detention and Bail.* Immediately after arrest the woman is taken to the nearest precinct station where she is booked under the charge made by the arresting officers. She is thereupon given an opportunity to secure bail. Bail fixed at the station-house is never under \$500 and is very frequently in the form of cash or liberty bonds. If the woman desires an immediate arraignment and the Women's Court is closed, she may be taken to the Men's Night Court on 54th Street, and arraigned there.

If she does not demand an immediate arraignment and if she fails to put up bail, she is taken from the precinct station-house to the Women's Detention Prison in connection with the Women's Court. She is not taken to this prison by the arresting officers but by a regular patrolman especially detailed for that purpose. The purpose of this is further to minimize police corruption. When taken to the Women's Prison the defendant is kept separate and apart from the women who have already been convicted. Her arraignment will then take place the following morning in the Women's Day Court. If the defendant appears to be very young, after being booked at the police station, she is taken either to the Florence Crittenton Home or to Waverly House for temporary detention until arraignment. After arraignment she will continue to be detained at either one of the temporary detention homes until after her case is disposed of.

3. *Complaint and Trial.* In connection with the Women's Court there is a Complaint Room under the supervision of a deputy clerk of court. In this room are kept very carefully prepared blanks with a different form for each offense. The Complaint Room has a window opening into the Detention Rooms:

and the morning following the arrest the defendant is shown the complaint against her, which has been filled out by the arresting officer, and she is given an opportunity to fill out the statement attached to the complaint. This statement is not made under oath and in it she states whether or not she is guilty, what her nationality is, date of birth, date of arrival in United States, etc. The complaint is sworn to before the magistrate at the time of the original arraignment. A sample of a complaint charging the offense of offering to commit prostitution is given herewith to illustrate the procedure outlined:

## CITY MAGISTRATES' COURT OF THE CITY OF NEW YORK

Ninth District, Borough of Manhattan

STATE OF NEW YORK, }  
County of New York. } ss.:

JOHN JONES, of the *Fourth* Police Inspection District-Squad, being duly sworn, deposes and says, that on the *9th* day of *December*, 1922, at the City of New York, in the County of *New York*, *MARY DOE* (now here), was in a *hallway* at No. *22 Black Avenue*, and did offer to commit prostitution with deponent, demanding and receiving the sum of \$2 therefor, and did thereupon offer to expose her person to deponent for said purpose.

Whereupon, deponent prays that said defendant be adjudged a vagrant, pursuant to the provision of Sec. 887, Subd. 4, Clause "a," of the Code of Criminal Procedure.

Sworn to before me, this *10th* }  
day of *December*, 1922. }

JOHN JONES.

RICHARD ROE,  
City Magistrate.

STATE OF NEW YORK, }  
County of New York. } ss.:

*MARY DOE*, being examined according to law, on the charge above-mentioned, says that she was born in *Russia*, *June 1*, 1890, is 32 years of age, is married, and has 3 children living. Examinant further says, *I am not guilty*.

.....  
Date of arrival in the United States? *July*, 1920. How long in United States? *2 years*.

Arrived at (Port) New York.

Arrived under name of *MARY DOE*.

Taken before me, this *10th* }  
day of *December*, 1922. }

MARY DOE.

RICHARD ROE,  
City Magistrate.

When the defendant is called before the court for arraignment she may proceed to trial at once or she may secure an adjournment of at least two days for the purpose of getting in touch with friends and relatives, and for securing counsel. At the time of her arraignment the court captain states to her in open court as follows:

Your case may be heard at once or you are entitled to an adjournment for the purpose of securing counsel and getting in touch with relatives and friends. You may have the use of a telephone for that purpose free of charge. Which do you wish to do, have your trial now or secure an adjournment and if so, to what day?

One of the magistrates now sitting in the Women's Court explains to the defendant at great length that she may have ample time to get in touch with friends to secure counsel and to prepare her defense. He impresses upon the defendant the fact that she does not have to have her case tried at once. Frequently the defendant if not represented by counsel will insist upon an immediate trial. This is more often true if she is a recidivist. At this time the plea of the defendant is received. If her plea is "guilty" she is remanded for forty-eight hours for sentence. This period is necessary for the purpose of investigation, identification, and examination.

If she pleads not guilty and requests an immediate trial, the case is tried forthwith. During the year 1920, 23 per cent of the defendants pleaded guilty, according to statistics of the Committee of Fourteen.

If the plea is "not guilty" and an adjournment is desired, bail is fixed by the court, as the station-house bail under which the defendant was released after arrest is good only until the defendant is arraigned. The minimum amount of bail fixed by magistrates in the Women's Court for defendants charged with an offense involving prostitution is \$500. If the District Attorney or Judge, or some other court official, recognizes the defendant as having been convicted before, the bail is usually fixed at a larger sum than \$500. Cases were noted by the writer in



which the bail had been fixed at \$1,000, \$1,500, and \$2,000 respectively. The magistrate frequently increases bail when subsequent adjournments are requested by the defendant, almost invariably in denominations of \$500. The following statement appears on page 39 of the Report of the Committee of Fourteen for 1920:

Of the 1308 cases in the Women's Court in 1920 bail was given by 46 per cent of the defendants. Of those bailed 75, or 12 per cent, failed to appear for trial. The bonds given by these defendants were, with few exceptions, for \$500 each, so that the total sum collected from these forfeitures was \$37,500, an amount approximating the total collected in 1907 for fines in prostitution and disorderly house cases, Manhattan and the Bronx. There has been no difficulty in collecting these bonds since the security was generally cash or Liberty Bonds or a surety company was on the bond.

Table 5, in the Appendix, shows the bail forfeitures in the Women's Court from January 1 to June 30, 1920, giving the total number of cases, the nature of the offense, and the character of the bond received. It will be noted that out of 28 bail bonds only five were real estate bonds, the rest being cash, liberty bonds, or commercial surety bonds. These bonds with the exception of one real estate bond were collected for the full amount.

Probably not less than one hundred trials were observed by Mr. Worthington. One thing which particularly impressed him was the manner in which the trials were conducted. The greatest care was exercised by the court to preserve for the defendant all the rights to which she might be entitled under the constitution and statutes. Indeed the trial seemed to be "summary" in name only, as the trials were as carefully conducted as if they had been before a jury. Incompetent evidence was either not admitted or else invariably stricken from the record. In the words of Judge McAdoo, the cases are conducted "with that degree of patient investigation which many of them require and with those protracted hearings which are often necessary in

important matters." The defendants are very frequently represented by attorney and many of the attorneys who appear in the Women's Court seem to be of the shyster lawyer type who are a disgrace to the profession. (Court rules require the attorney to file a written notice of appearance.) Of the trials observed in which defendants were represented by counsel, it was noted that two attorneys apparently had a monopoly of the cases. It would seem that here would be a fruitful field for investigation by the Grievance Committee of the Bar Association, to ascertain how it is that these two attorneys secure such a monopoly. It was noted that directly across the street from the Jefferson Market Building in which the court is housed were several law offices with the lawyers' names in large letters and that in the same offices with the lawyers were the shingles of professional bondsmen who appear in the Women's Court. This would seem to indicate a very close connection between the bondsmen and the attorneys who practice in this court.

Only a general statement of the procedure of the trial will be made at this time inasmuch as specific cases in illustration will be given in another place. The People's case generally consists of the testimony of the arresting officer corroborated by his brother officer. If the defendant is represented by an attorney it is frequently conceded that the testimony of the arresting officer will be corroborated in all material facts by that of the brother officer and in this way the time necessary for the giving of his testimony is saved. It would almost seem that the defendant who is not represented by counsel is better off than the one who has an attorney, inasmuch as the defendant's attorney on cross-examination frequently brings out facts in favor of the People which would be inadmissible on direct examination. At the close of the People's case, the usual motion is made for the dismissal of the case and the discharge of the defendant on the ground of insufficient evidence to sustain the charge. The judge may withhold decision on this motion until the close of the case, or deny the motion, or grant it. If the motion is granted, the defendant, of course, is discharged and the case is ended. If the

judge reserves his decision on the motion, it probably means that he has not been fully convinced by the testimony presented on behalf of the People, and desires to observe the demeanor, credibility, and general appearance of the defendant upon the stand. It not infrequently happens that the defendant convicts herself by her own testimony or else tells a story which is so improbable as seriously to affect her credibility in the eyes of the court. Crafty counsel who are assured of the guilt of their clients will refuse to place the defendant upon the stand. It sometimes happens, however, that the defendant insists on taking the stand even when her attorney wishes to plead her guilty. This is frequently the case when the charge is that of an offer to commit prostitution. In such a case the defendant frequently labors under the impression that an act of sexual intercourse is necessary before she can be convicted of an offense. It is hard for her to understand that her offer to commit prostitution constitutes a complete offense without any other act upon her part. It, therefore, not infrequently happens that when the defendant takes the stand she admits that the offer to commit prostitution was made, but insists that nothing else was done. She, therefore, honestly believes herself innocent. Judge Foster, of the Court of General Sessions, in the case of the People vs. Rosie Klein has aptly stated the following with reference to this kind of an offense:

The appellant's contention appears to result from a confusion between prostitution and rape. To constitute rape, sexual penetration must be proved, while an offer of her body to indiscriminate sexual intercourse for hire is sufficient to establish an act of prostitution. While it is true that there was no actual sexual intercourse, there assuredly was an offer thereto by the defendant and plainly such an offer is an "act of prostitution."

In the Women's Court all cases are prosecuted by a deputy assistant district attorney and the writer cannot refrain from saying that he has nowhere else observed a prosecutor who prosecutes cases with such a degree of fairness mingled at the

same time with thoroughness, as in this court. He seems to be seeking not merely convictions, but also ultimate just results.

#### SPECIALIZATION

The Women's Court is the most highly specialized court of the series studied. Three magistrates are assigned by the chief city magistrate, who sit alternately in this court. The selection of magistrates has been most carefully made and is indeed fortunate. The magistrates sitting in this court have a happy combination of judicial fairness, kindness, and courage. By frequently sitting in the same court they become thoroughly experienced in the class of cases tried there and can, therefore, be regarded as experts in dealing with sexually delinquent women. They are progressive, sympathetic, and at the same time scientific. They are not only well trained in the law but they possess the happy faculty of being socially-minded as well. It must, of course, be taken into consideration that the legal machinery which the magistrates administer is very highly developed. The methods of treatment which may be given the defendant and the methods of disposition are numerous. After the defendant is convicted she is finger-printed, which thereupon makes it possible for the magistrate to know absolutely whether or not the defendant is a previous offender in the city of New York.<sup>1</sup> The magistrate also has before him, before sentence, the report by the excellent probation department, in case the defendant is a first offender. A detailed account of the workings of the probation department will be given in another section. There is also placed before the judge after conviction and before sentence a certificate from the health department stating whether or not the defendant has a venereal disease in an infectious stage. With these guides, the judge has available the following possible dispositions:

1. Probation: If the defendant is a first offender, this is a frequent disposition. If diseased, she is frequently permitted to go to Kingston

<sup>1</sup> Finger-print records of prostitutes were provided for in the Inferior Criminal Courts Act and hence are complete since September, 1910.

Avenue Hospital for treatment. After her release from that institution by the health department she is returned to court for sentence.

2. Commitment to reformatory institution. If she is under 30 she may be sent to the State Reformatory for Women at Bedford Hills. If a Catholic, commitment is frequently made to the Roman Catholic House of the Good Shepherd; if a Protestant, to the Protestant Episcopal House of Mercy or to Inwood House.

3. A definite sentence of from one day to six months to the Workhouse on Blackwells Island (now called Welfare Island).

4. An indeterminate sentence of two years to the Workhouse under the Parole Commission Law, if the defendant has been convicted at least twice prior to the present conviction within the past two years, or has at least three prior convictions during any period. This is discussed more fully on pages 488-493.

5. Suspended sentence.

"The fine as a penalty in prostitution cases was discontinued in the Women's Court in 1912 by agreement between the magistrates assigned there, and in 1913 the provision for fines in such cases was abolished by law."<sup>1</sup> This is a very wise provision indeed. Fining drives a woman to renewed exertions in breaking the law, or places her under obligations to those unspeakable male creatures who live on such women, whether as pimps or disorderly house keepers. Fining makes the city a partner in the business in that it becomes a sharer in the proceeds. It has been well stated that such a system makes of the city a "super-pimp."

In order to give a picture of the procedure in the Women's Court it is believed wise to describe a sample daily program. The first cases called after court has been convened are of those who are ready for sentence. There probably will be several who have been released from Kingston Avenue Hospital where they have been under treatment after conviction and prior to sentence. Of each of these defendants the probation officer makes a report directly to the court. This report not only gives the social history of the defendant, but also states how she has demeaned herself at the hospital. Most of the defendants in this group are thereupon placed upon probation with the excep-

<sup>1</sup> Annual Report, Committee of Fourteen, 1920, p. 25.

tion of those who have shown by their actions at the hospital that they require closer supervision. In that case, the defendant may be sent to a reformatory or to the Workhouse. The next group of cases will be defendants who have been convicted and remanded for forty-eight hours for finger-printing, investigation, and examination. If a finger-print record shows no previous conviction and the report of the health department shows that the defendant is not suffering from a venereal disease in an infectious stage, the defendant, upon recommendation of the probation officer, may be put upon probation. If there is no previous conviction and she has a venereal disease, the defendant is asked whether she consents to go to Kingston Avenue Hospital for treatment. If she agrees to go to Kingston Avenue Hospital, sentence is deferred frequently with a note on the papers by the judge: "Recommended for probation." Rarely does the defendant refuse to go to the hospital. In the few cases observed in which the defendant did refuse, she was thereupon sentenced to Bedford Reformatory. This is, of course, an indeterminate sentence of not more than three years with release on parole at the discretion of the Board of Control of that institution. If the defendant has more than one conviction, whether diseased or not, if she appears to be under 30 years of age, she may be sent to Bedford or one of the other reformatory institutions previously mentioned. If the defendant has a sufficient number of convictions to warrant sentencing her under the Parole Commission Law she may receive such a sentence. However, the Parole Commission Law is not used very frequently at the present time because of the fact that it is interpreted by the magistrates as not being mandatory. A discussion of the Parole Commission Law is given on pages 488-493. If the defendant appears to be too old for a reformatory sentence and yet has more than one prior conviction, and is diseased, she is generally sent to the Workhouse for one hundred days. The one hundred day term is fixed because the magistrates have been informed by the health department that such detention and treatment are sufficient to render the ordinary case of venereal disease non-

infectious. However, if the defendant has several prior convictions, it may be that she will receive a definite sentence of six months in the Workhouse whether diseased or not. On the other hand, it is noted that a few defendants who were not diseased but who had many previous convictions, were given a short workhouse sentence of from ten to thirty days. This indicates that there are other considerations entering into the sentence of the defendant besides the prior number of convictions and the question of disease. For instance, it may be that the defendant pleaded not guilty to the charge, or that she had seemed to be "more sinned against than sinning," or that the magistrate believed that her case contained some of the elements of police persecution. The magistrate also considers the honesty or dishonesty of the defendant on the stand, and also her demeanor, her lack of defiance, her apparent state of intelligence, and the character of the offense committed.

After the cases of those awaiting sentence have been disposed of, the cases of defendants awaiting arraignment are called. In these cases, as explained before, the defendant is given the opportunity of adjournment, for the purpose of securing counsel or communicating with friends or relatives, or of having an immediate trial. Frequently the defendant pleads guilty upon arraignment.

After the arraignments, come the cases which have been definitely set for trial on that day. It occasionally happens that the defendant does not appear when her case is called, and bail is thereupon declared forfeited. It not infrequently happens that the defendant will ask for an adjournment. It may be that her counsel believes that the magistrate sitting at that time is more severe than the other two magistrates and she may attempt to secure an adjournment for that reason. The magistrates, however, are loath to grant adjournments and frequently the bail is raised when the adjournment is granted. Table 8 in the Appendix, indicates that very few adjournments are granted after the third time, probably because by that time the defendant has run out of excuses which seem valid to the magistrate.

Adjournments are most frequently requested when a defendant is represented by counsel, and generally are for the sole purpose of securing a delay. Because of the difficulty in securing adjournments many subterfuges and excuses are resorted to, such as the failure of counsel to appear when the case is called, or the production of an affidavit from a physician that the defendant is not physically able to be present in court. Occasionally the magistrate requires the physician to appear in person and in some of such cases it was noted that upon cross-examination the physician admitted that he had not seen the defendant immediately prior thereto. Needless to say, adjournment was refused.

#### ILLUSTRATIVE CASES

The procedure of the trials themselves will be better illustrated by the actual cases which follow:

E. G., white, about 30 years old. Charge—offering to commit prostitution, Subd. 4a, Sec. 887, C. C. P. Officer testified that defendant stopped him on the street during afternoon, and invited him to come to her room that evening for the purpose of prostitution, stating that the price would be \$10.

Officer accompanied by brother officer, kept the appointment, the other officer remaining outside of room. Witness testified that defendant was in room when he entered; that she greeted him warmly, and after a few words of conversation, asked him if he were ready. He replied in the affirmative, and she asked for the money. He paid her with a \$10 bill which she put in her right top bureau drawer. She then disrobed, exposing her person and exclaimed "Come on!" Witness stated that he thereupon went to the door and summoned his brother officer who asked witness in presence and hearing of defendant what he was there for. The reply was, "For a good time." When asked if he had paid defendant any money for the good time he replied that he had given her \$10. The brother officer was said to have thereupon asked defendant "to give him back his money," referring to witness. Defendant in response to this, went to the right bureau drawer and extracted therefrom a \$10 bill which witness kept, placing his initials thereupon in defendant's presence. This he offered in evidence.



The foregoing testimony was corroborated by the brother officer. Defendant thereupon took the stand. In a strong cockney accent, she denied meeting the officer in the street, earlier in the day. She stated that she was in her room when the officer forced his way in stating, "You're under arrest. I've got to make a case, and it might as well be you as any one else."

She said she was the daughter of a sea-captain and was supported by him. She couldn't recall when she had last received any money from him, and also admitted that she was not working. Her testimony was unconvincing and her demeanor was defiant. Found guilty and remanded for sentence. Defendant admitted her guilt to probation officer, after conviction.

White, about 28 years old. Charge—offering to commit prostitution in a tenement, Subd. 3, Sec. 150, Tenement House Law. Officer stated that he visited room of defendant at about 5 o'clock in afternoon, saying to defendant that he had been sent there by Sam; that defendant stated that if he had been sent by Sam he must be all right but she first insisted on searching his person for a gun or shield. After these preliminaries she said, "Are you ready for your good time?" Officer testified that he replied, "Well, how much will it cost?" She said \$5. Officer stated that he thereupon gave defendant \$5 which she placed in her right leg stocking, and removed her kimono and lay down upon the bed, exposing her person. The officer stated that he thereupon put her under arrest and called in his brother officer. Brother officer in corroboration testified that he entered room finding defendant clad only in a "teddy" and sitting on the edge of the bed; that complaining officer stated to him in the presence of the defendant that he had paid defendant \$5 for a good time and that she had exposed her person. The corroborating officer then told defendant to return to the officer his money and that she removed the \$5 bill from her right leg stocking and handed it to the officer. This money was placed in evidence by the officer on his statement that he had kept it separate and apart from his own money and had marked it in the presence of defendant. The defendant was represented by a young lawyer who upon cross-examination of the officers drew out facts which would have been inadmissible under their direct testimony. He forgot to make his motion for a dismissal and put defendant upon the stand at the close of the People's case. His questions of defendant

on direct examination were so unskillful that defendant corroborated the officers in practically every material fact. The district attorney thereupon waived cross-examination and defendant was found guilty and remanded.

A., colored, about twenty years old. Charge—offering to commit prostitution. Subd. 3, Sec. 150, Tenement House Law.

B., colored, past 40 years old. Charge—keeping a house of prostitution, assignation, or ill-fame in a tenement house. Subd. 5, Sec. 150, Tenement House Law.

C., colored, about 20 years old. Charge—knowingly residing in a house of prostitution or assignation in a tenement house. Subd. 4, Sec. 150, Tenement House Law.

The complaining officer was a colored man attached to a vice squad. Officer testified that he had had apartment under observation for some time. That upon entering apartment he found Defendant A. in bed entirely nude, in company with a colored man with his trousers removed. He asked the man if he was married to defendant and he said no, in the presence and hearing of defendant; that he had come there to have a good time with defendant and had paid her \$6; that the arrangements were made in the presence of Defendants B. and C., and that after Defendant A. had collected the \$6 she gave \$2 in his presence to Defendant B., stating that it was for the use of the room. Officer stated that he called in A. and B. and asked them for the money which had been paid by the unknown man, and that A. produced four one-dollar bills and B. produced two one-dollar bills which were returned to the man and that the officer took this money from the man and replaced it by money of his own, which money was offered in evidence. The officer then testified that he called in his brother officer who made a search with him of other rooms in the apartment and found in another room Defendant C. who testified that she lived in the apartment. The defendants then took the stand and each one told conflicting stories. Defendant A. said that the man was a friend of hers, but when asked on cross-examination what his name was, she stated that she could not recall. She said that she had met him at some dance, although on direct examination she had testified that she had known him for more than two years. She stated that the money that he paid her was for a pawn ticket which she had received for pawning a bird of paradise. When asked where she got

the bird of paradise she stated that it had been smuggled in by a sailor friend and given to her. She could not recall, however, where she had pawned the bird and also contradicted herself on the amount that she had received from the pawnbroker. The landlady stated that she had collected \$2 from A. but that it was money which the defendant owed her. She also stated that she knew about the bird of paradise being pawned and stated that the unknown man was a friend of A. She contradicted A., however, on the place of meeting and as to the length of time the man was known. Defendant C. testified that she was present when the man came in and that he had stated that he did not want to see her but wanted to see her friend and, therefore, she had gone to her own room. Defendants were found guilty and remanded. When the three defendants came up for sentence two days later, the finger-print records showed that defendants B. and C. had previous records for prostitution. A. was investigated by the probation officer who stated that the apartment in question was a regular dive and that all three defendants admitted that prostitution had been practiced there. B. and C. being diseased and having previous records were given sentences of six months at the Workhouse, and A. was sent to Kingston Avenue Hospital for treatment.

Defendants, white, 28 and 30 years of age, respectively, tried together by consent of counsel. Charge—offering to commit prostitution, Subd. 3, Sec. 150, Tenement House Law. Officer testified that he and his brother officer had the two women under observation on the street; that he saw them address two men and walk away with them; that he and his brother officer followed defendants to an apartment which they entered about ten or fifteen minutes later, finding both defendants in bed with the unknown men, all being clad in their underwear. Officer testified that he questioned both the men in the presence and hearing of both defendants and asked them whether they were married to defendants. The men replied no, that the women had picked them up on the street and had taken them to the apartment for a good time. They testified that each of them had paid the women \$5 for that purpose. The officers gave the names of the unknown men. The officer testified that after the defendants had heard what the unknown men had said they were asked whether or not the statement was true; that the women said, "Yes, but please give us a chance." The money paid by the men was returned in the

usual way and offered by the officer in evidence. The brother officer also testified after having been excluded by the court, and corroborated the complaining officer in all the essentials. The defendants were then placed on the stand by their attorneys and on direct examination denied the testimony of the officers. Upon cross-examination they made many conflicting and contradictory statements. The attorneys for defendants then produced two men who in turn took the stand as witnesses for defendants and who testified that they were the men who were in the room with defendants at the time of the arrest. The men had all the appearance of being pimps. One testified that he worked in a pool hall and the other said that he was a chauffeur for a judge. He stated that he had frequently taken one of the defendants out riding and knew her very well. When asked if he had taken her out in his employer's car, he said no, he had taken her out in a friend's car. When suddenly asked by the district attorney to give the name of that friend he was unable to remember his name. The man who had stated on direct examination that he was a cook, stated on cross-examination, when asked where he worked, that his place of employment was a pool hall. The district attorney stated, "I thought you said that you were a cook?" Witness answered, "Yes, I am a cook in a pool hall." The officers when recalled to the stand for rebuttal denied that the two men produced by the defendants were the unknown men whom they had questioned in defendants' apartment. Defendants were found guilty and remanded for sentence.

White, about 30 years old. Charge—offering to commit prostitution, Subd. 3, Sec. 150, Tenement House Law. Represented by one of the shyster lawyers who has almost a monopoly of business in Women's Court. Officer testified he had apartment under observation and saw a man enter; that a few minutes later he and his brother officer entered and found defendant undressed in bed and the man with his coat off, who was in the act of buttoning up his clothes. The man, when questioned in the presence and hearing of the defendant, was reputed to have said that he was a stranger to defendant and that he had paid her \$2 for the purpose of prostitution; that the defendant when questioned by the officer as to the truth of the man's statement, said it was true and gave the officer the money alleged to have been paid her by the man. The complaining officer's testimony was corroborated by the brother officer. The defendant then took the

stand and denied categorically each and every one of the allegations of the officers. She further stated that there was no man at all in the apartment and that the supposed man was an absolute fiction on the part of the officers. She proved to be a very difficult witness to shake. On cross-examination she did contradict herself on several particulars. The attorney for defendant then made the charge that there was no unknown man in this case and that it was purely a fabrication and frame-up on the part of the officers. Much to the defendant's surprise after she had rested her case the district attorney produced three witnesses who were residents of the apartment building in question. One was a woman of about 45, housewife, apparently reputable, who stated that she had seen the officers watching the apartment, one from the stairway above and one from the stairway below; that her attention being attracted to the apartment by this, she watched proceedings from her doorway almost directly across the hall from defendant's apartment; that she saw a man enter while the officers were watching the apartment; that after the officers entered the apartment she came to the door to listen as she had been suspicious of the place for some time; and that she heard some of the conversation from the open door. She stated that one of the officers then came to the door and seeing her and two other residents of the apartment building nearby, asked all of them to come in, and that while there, they saw defendant and the man described by the officers; that this man had not yet put his coat on. Defendant was found guilty and remanded.

White, 35 years old. Charge—receiving a person into a place for the purpose of prostitution, Subd. 4e, Sec. 887, C. C. P. Officer testified that he entered and found defendant and man in bedroom in underwear and also found another couple in another bedroom. That the other woman had already been convicted under another charge. That the man had stated, in the presence and hearing of the defendant, that the defendant had accosted him on the street and brought him up to the apartment for a good time. The man is alleged further to have stated that he had paid the defendant \$5 for a good time and \$5 more for the use of her room. Officer stated that he had asked defendant if that were true and she had replied yes and had returned the money. After the conclusion of the People's case, the defendant asked to change her plea from not guilty to guilty, which was received.

White, 45 years old. Charge—knowingly permitting a person to remain in a place for the purpose of prostitution, Subd. 4e, Sec. 887, C. C. P. The officer testified that defendant was a proprietress of a rooming house. That he entered rooming house and found a couple in bed together and that the girl had subsequently pleaded guilty to a charge of offering to commit prostitution. He stated that the girl had told him, in the presence and hearing of defendant, that she and the man had rented the room for just a little while, and that they had come there without baggage. This was all of the testimony on behalf of the People. The defendant took the stand and testified that the couple had engaged the room for a week and had paid her \$2 down and had stated that their baggage was in the Pennsylvania Station and that they were going to send for it immediately. She stated that she believed that they had hardly had time to send for the baggage when the officers entered and made the arrest. She stated that she fully believed that defendants were a young married couple. She produced a witness to corroborate her testimony. The case was thereupon dismissed and defendant discharged on the ground that the evidence was insufficient to constitute the offense alleged.

White, about 21 years old. Charge—committing prostitution in a tenement house, Subd. 3, Sec. 150, Tenement House Law. Complaining officer testified that he observed defendant and an unknown man through an open window, engaged in an act of sexual intercourse; that he and his brother officer thereupon entered the apartment which was on the ground floor, and questioned the unknown man who stated, in the presence and hearing of defendant; that he was a stranger to her and that he had paid her \$2 for a good time. The defendant was alleged to have admitted that she had received the \$2 and returned it to the man. The officers took the money, replacing it for some of their own, marked it in defendant's presence, and offered it in evidence. Defendant was represented by attorney. She took the stand and denied the testimony of the officer which had been corroborated by brother officer by stipulation of the defendant's attorney. Defendant stated that she had come to the man's room to collect some money that he owed her husband and that she had just collected it when the officers rushed in. She denied that she or the man were in bed, and denied that they were undressed. She also denied that the man had made the statements to which the officers had testified, and

stated that he actually had said that he had paid the money that he had owed her husband. On cross-examination, however, the woman could not give the circumstances under which she could have known that the man owed her husband money or any circumstances by which she would know where he lived and she admitted that she had met him on the street and said that she would come up to his apartment later to collect the money. She could give no reason why she did not collect the money when she saw the man on the street. She was thereupon found guilty and remanded for sentence. After conviction, her attorney announced that he had advised her to plead guilty but that she had refused to do it.

White, 25 and 30 years old, respectively. Charge—aiding or abetting or participating in prostitution, Subd. 4f, Sec. 887, C. C. P. Younger defendant charged with violating Subd. 4a of same section. offering to commit prostitution. Officer testified that he and his brother officer entered room of younger defendant and found her in bed with unknown man; that upon questioning man in her presence and in the presence of the other defendant, the man stated that he was a stranger to both of them, that they had picked him up on the street and taken him to the room for the purpose of prostitution and that he had paid the younger defendant \$20. The officer testified that he had then turned to the younger defendant and had asked if the statement of the man was true and she said yes. Officer then asked her to return the \$20. She said, "I haven't got it." Officer asked where it was and she said that the other defendant had it. The other defendant then produced the \$20 which was taken by the officer in substitution for money of his own, and it was offered as evidence at the trial. The statements of the complaining officer were corroborated by his brother officer. The defendants were represented by an attorney who moved at the close of the People's case to dismiss as to the older defendant who had been charged with aiding, abetting, and participating, on the ground that there was no evidence relative to her participation. The court reserved decision on the motion. The younger defendant thereupon took the stand, admitted that she had met the man in question, that he was a stranger to her, but that he had stopped the other defendant and herself and asked them if they did not want a drink, saying that he had some liquor on his hip; that they said yes, and that they had therefore gone up to the room

in which the older defendant lived. On cross-examination she practically admitted that she had offered to commit prostitution with the man. The other defendant then took the stand and admitted that she had received the money from the other woman but denied that she had any knowledge of what they did in the room. She stated that after she had gone up with the other girl and the man to the apartment, that her friend had given her \$20 to keep for her and she had gone into another room and did not know what they were doing. Both defendants were convicted and remanded for sentence. When their cases came up for sentence two days later the medical examination showed both of them to have venereal disease but showed that they were first offenders. The older defendant's husband appeared in court and the probation officer recommended probation for her so that she might return to her husband, and for the other defendant so that she might return to her home in Philadelphia. Both defendants consented to go to Kingston Avenue Hospital for treatment.

Many other cases were observed in which the testimony was substantially the same as that illustrated in the foregoing cases. The testimony of the officers on the statement of the unknown man to the police officers, is stricken from the record if the officer testifies that the woman denied the statement of the man. The theory on which such statements are admissible is that they are admissions by the defendant of the offense charged. Therefore, when she denied the statement of the man or remained silent when asked by the officer whether the statement was true, there would be no evidence before the court, of admissions on her part and she would, therefore, be acquitted. The trials were conducted very carefully and there were so many checks on the police that the writer believes that there is practically no possibility of an innocent woman being convicted of prostitution in this court.

It may occasionally happen, however, that a woman has been arrested by the police who is not guilty of the offense charged. When this appears from the testimony of the officer, the district attorney is very careful to move at once for a dismissal of the case. One case was observed in which the defendants were dis-



charged at the end of the entire case after the defendants had produced reputable character witnesses and had put up a very good appearance upon the stand. In this case, the court made the statement which went into record, that he had observed the testimony of the complaining officer on two previous occasions which, upon being checked up had been found to be untrue and that on the two prior occasions the defendants had been acquitted. He said further, that taking the two previous occasions with the present one into consideration, he was notifying the Police Commissioner that he would never again believe the testimony of this officer and should this officer appear again in court while he was sitting as judge, he would immediately discharge the defendants against whom this officer appeared as complainant.

Many cases were gone over after trial and investigation with the probation officer, and it was found that after conviction the defendant almost invariably admitted the truth of the charge against her. On this subject Chief Justice McAdoo has the following to say:<sup>1</sup>

In each of these cases the defendant generally goes on the stand and tells a story which is repeated over and over again by defendants and which is unreasonable on the face of it. The Magistrate has also to note her appearance, her manners, her language, and cross-examines her. In most cases she admits she has no regular employment or settled home, has not worked for a long time. Her excuse given for being on the street at the time of the arrest is unreasonable and often absurd. In more than half the cases the finger-prints show she has been previously convicted for the same offense.

I was two years Police Commissioner and I have been nearly six years in this office and I can say without reservation that I have never known of a single case of an honest, decent, and virtuous woman being arrested by the police mistakenly for street-walking.

The following are some other types of cases dealt with by the court:

<sup>1</sup> Annual Report, City Magistrates' Court, 1915.

White, about 21 years old. Charge—disorderly conduct, loitering, Subd. 2, Sec. 1458, Consolidation Act. Officer testified he saw defendant accost two men. He stated he did not know what she said to them. Then he saw her stop a third man who, after a conversation with her, ordered a taxi. The officer then stepped up and asked the man if he knew the defendant. He stated that he had never seen her before, that she had stopped him and invited him to go to her room for a good time. The officer testified that the man stated that defendant told him it would cost him \$5 with \$2 additional for the room. Corroborating officer was not called. Defendant was represented by attorney who refused to put her on the stand. Defendant was found guilty and remanded for sentence.

This defendant at the end of the remand period came before another judge for sentence. Probation officer reported that defendant lived in a very poor house with an Italian woman; that she could not see that the girl had any means of making a living and did not believe that the old Italian lady was in a position to support her. She stated further that there was no basis for probation and recommended that defendant be not placed upon probation. The girl seemed to be rather young and innocent looking and was represented by a young attorney who stated that she was innocent and had been the victim of police persecution. He also stated that the Italian woman was in court and was willing to take care of the girl if she was placed on probation. The judge called the Italian woman to the bench and asked her how she had become acquainted with the defendant. She stated that the girl's mother was a friend of hers in Connecticut and that the girl had come down on a visit and was now working for her in her second-hand store. She stated that she could pay the girl \$12 a week and that she could take care of her. The girl was thereupon placed on probation in custody of the Italian woman. The next morning the same defendant reappeared in court charged with offering to commit prostitution under Subd. 4a. This time she appeared in an expensive mink coat and could hardly be recognized through her finery as the poor and innocent-looking girl of the day before. She asked for adjournment to secure counsel and her bail was fixed by the court at \$1,500 which was furnished by a surety company. When her case was called two days later she forfeited bail. Apparently the girl was being exploited by some one who had means. .

White, about 34 years old. Charge—disorderly conduct, loitering, Subd. 2, Sec. 1458, Consolidation Act. Officer testified he saw her accost three men in less than half hour and that she boarded a cross-town 23rd Street car with the third man. Officer also boarded car and followed defendant. He observed defendant and man go to a dark corner near the 23rd Street ferry-house, whereupon he approached the man and asked him if he knew defendant. Man stated, in presence and hearing of defendant, that he did not know her, that she had asked him if he wanted to spend \$2 for a good time, that he had accepted but had not yet paid her the money. The officer then stated that he had asked defendant if that was true and that she had said yes. The defendant took the stand and testified that she had no home and no place to sleep. She had the appearance of a derelict. She testified that she had merely asked the man to pay her car fare on the 23rd Street line and that she was talking with him near the ferry-house when the officer approached. She admitted that she had not seen the man before. She stated that she had been married ten years and had had several children, none of whom were living and that she was not living with her husband at present. Found guilty and remanded.

White, 20 years old. Charge—offering to commit prostitution, Subd. 4a, Sec. 887, C. C. P. Officer testified that he observed defendant accost a man in front of a restaurant and thereafter she entered restaurant with man during which time he had them both under observation; that he followed them from the restaurant to a room which he kept under observation for about ten minutes before entering; that upon entering he found the girl in bed and the man was sitting on the edge of the bed in his underwear; that he questioned the defendant and man as to whether or not they were married and that man stated, in presence and hearing of defendant, that he had never seen the girl previous to that evening and that she had agreed to give him a good time for the price of \$5 but that the money had not yet been paid; that when the girl had been asked by the officer if the statement by the man were true, she had remained silent. Motion was made by defendant's attorney for dismissal and discharge of defendant on ground that there were insufficient facts to constitute an offense. The attorney had previously conceded that the officer's testimony would be corroborated in every material fact by the brother

officer. Decision was reserved by the judge. Defendant thereupon took the stand and on direct examination denied statements of the officer. After a very rigid cross-examination by the district attorney she admitted that she did not know the man's name although she said that he was a friend of hers. She further admitted that man had accompanied her to her room. When asked what she went there for she said, "Well, you did not expect us to go there to say our prayers." When further cross-examined as to whether or not any price had been mentioned she stated that the man said he would take care of her. She also stated, "Why didn't you arrest the man? If I'm guilty of anything, he is too." Defendant found guilty and remanded.

White, about 25 years old. Charge—offering to commit prostitution, Subd. 4a, Sec. 887, C. C. P. Officer testified that he had had defendant's apartment under observation for some time, that he saw a man enter the apartment and that he entered about a half an hour later; that he found defendant in her kimono and the man in her bedroom in his stocking-feet and with his outer shirt off. The officer asked the man, in the presence and hearing of the defendant, whether he was her husband, to which he replied that he had never seen defendant before that day; that he had been sent up there by a chauffeur by the name of "Shorty"; that he had told the defendant that "Shorty" had sent him; and that she had admitted him. He stated that he had paid her \$25 for a good time which had already been completed. The officer testified that he thereupon turned to the defendant and asked her if the statement of the man were true; that defendant had stated no; that the man was her friend; and that he had owed her the \$25 and had come up that evening to pay it back. The officer then asked her where the \$25 was, and she turned to her right leg stocking from which she extracted two ten-dollar and one five-dollar bills which were returned to the man and which the officer took and replaced with money of his own. This money was marked by the officer and was offered in evidence by the district attorney. It was accepted as evidence after the officer had stated that he had marked it in the defendant's presence and had kept it separate and apart from any other money since that time. Defendant's attorney conceded that the testimony would be corroborated by the other officer and moved for the dismissal of the defendant. The motion was denied by the

court. He thereupon refused to put the defendant upon the stand and she was found guilty and remanded.

White, about 16 years old. Charge—incorrigibility, Chap. 436 of the Laws of 1903. Complaint was made by mother who took the stand and testified against her daughter. She stated that the defendant remained out late every night and ran around with a man whom she did not know; that frequently the girl would not return until 3 or 4 o'clock in the morning. The defendant then took the stand and admitted that she stayed out late and when questioned as to the identity of the man, stated that he was a friend. She was found guilty and remanded to Waverly House for investigation.

White, each apparently under 21 years old. Charge—incorrigibility, Chap. 436 of the Laws of 1903. Officer testified that he visited room occupied by defendants and found them fully dressed with two sailors who were in their underwear; that one sailor had stated that one of the defendants was his sweetheart and that they were soon to be married, and that the other girl was a friend of hers. Officer testified that neither the girls nor the sailors could explain satisfactorily why the sailors were in their underwear but inasmuch as the girls were very apparently under 21 years of age he had arrested them under an incorrigibility charge. Attorney for the defendants conceded the corroboration by brother officer and made the usual motion of dismissal which was taken under advisement by the judge, and decision reserved. Defendants thereupon took the stand and each testified that she was 21 years of age. Under cross-examination by the district attorney, however, the defendants gave the dates of their birth, each being approximately 17 years of age. They admitted that the sailors were in their underwear, that it was a rainy night, and that the sailors had gotten their uniforms wet and had taken them off to dry. One girl stated that one of the sailors was to be discharged very shortly from the navy and was going to marry her. Defendants were convicted and remanded. Two days later when the defendants appeared for sentence, the probation officer brought in the husband of the girl who stated she was to marry the sailor soon, together with the marriage certificate which showed that this same girl had been married less than six months previous. Both girls were found to be suffering from an infectious venereal disease, one of them with both gonorrhea and syphilis, and upon their consent were sent to Kingston

Avenue Hospital for treatment. The sailors who appeared in court at the time of sentence were notified of the condition of the girls and the one who was the "would-be husband" was notified that his reported fiancée was already married and they were also told that their commanding officer would be notified of the circumstances. During the period of remand both girls were detained in the Florence Crittenton Home.

White, apparently 25 years old. Charge—offering to commit prostitution in taxicab, Subd. 4a, Sec. 887, C. C. P. Officer testified that defendant solicited him on the corner of 42nd Street and Sixth Avenue about 1 a. m. for the purpose of prostitution. He stated that the conversation between himself and defendant was as follows:

"When he passed defendant, she smiled and the defendant then said, "Hello, bad boy, where are you going?"

Officer replied, "No place in particular."

Defendant: "What do you want to do?"

Officer: "I don't care."

Defendant: "Want to spend a little money for a good time?"

Officer: "I don't care, how much would it cost?"

Defendant: "It will only cost you \$5 and the price of the room."

Officer: "Do you know where to go?"

Defendant: "Haven't you got any place?"

Officer: "No."

Defendant: "Then let's take a taxicab."

Officer: "All right."

Officer then testified that defendant led him to a taxicab which was standing near-by, which they entered; that she thereupon asked him for the money which he paid her and which she placed in her right leg stocking; that defendant thereupon exposed her person, and he placed her under arrest and took her to the police station. The officer's testimony was not corroborated. The defendant then took the stand and stated that she met the officer on the corner mentioned, that she did not know that he was a police officer and that they got into the taxicab just to take a ride; that upon entering the taxicab she went into hysterics and fainted and could not remember what happened. When asked if the story the officer told about the \$5 was true she replied that she had fainted so that she did not remember. After a long cross-examination defendant contradicted herself in so many

particulars that the court disregarded her testimony and found her guilty and remanded her for sentence. Defendant when she appeared for sentence was found to be suffering from a venereal disease and the probation officer stated that the girl had admitted the truth of the officer's story and that the girl further admitted that she had just come to New York from the south where she had been an inmate of a house of prostitution. Probation officer stated that defendant had no friends or relatives in the city and she recommended that the girl be sent to Bedford Reformatory. The defendant was thereupon so sentenced.

#### FINGER-PRINT SYSTEM

The Inferior Criminal Courts Act provides for the general use of finger-prints as a mode of identifying those convicted in these courts. Consequently a finger-print system has been in operation in connection with the Women's Court since 1910, for the taking of finger-prints of defendants after conviction.

Section 78, contains the following provisions:

In the Night Court for Women and such courts as the boards of magistrates may designate, there shall be established and maintained the method of identification of prisoners known as the finger-print system. The finger-prints of all females convicted for any of the offenses enumerated in Sec. 89 of this act shall be taken by officers or employees of the police department detailed for that purpose or by such officers or employees as may be designated by the chief city magistrate. One impression or duplicate shall be classified and preserved in the court where the same was made; a second shall be promptly delivered to and classified and preserved in the office of the chief clerk of the division; and the third shall be forthwith delivered to the police commissioner. The board of city magistrates of each division is empowered to make and from time to time to amend rules and regulations prescribing the courts in which females arrested after the closing of the night court for any of the offenses enumerated in Sec. 89 of this act shall be arraigned and the court where such females shall be tried, and to provide for their detention, release, or parole pending trial.<sup>1</sup>

The value of the finger-print system has been very well set

<sup>1</sup> As amended by Chap. 372, Laws of 1913.

forth by Chief Magistrate McAdoo, who has the following to say:<sup>1</sup>

The magistrates who preside in that court all bear testimony that it is not only advantageous to them in a just disposition of a case, but is of benefit to the defendant herself. It establishes, beyond question, whether or not she has a record in these courts. Most defendants, on conviction, will deny at once that they have ever been arrested or convicted before. The finger-print answers the question beyond doubt. If a woman has never been convicted before in that court, it is so established to her credit, and helps the magistrate to determine what should be done with her. If otherwise, and she has been frequently finger-printed, he knows he is dealing with an incorrigible case. All concerned are of the opinion that this is of the greatest benefit to the proper, just, humane, and effective disposition of these cases, and that it would be disastrous to go back to the old way . . . Every conscientious and right-thinking magistrate, however experienced, will, I think, admit how difficult it is, in many cases, to satisfy his conscience and his intelligence in fixing the measure of punishment without investigation and identification of the defendant. With the use and services of the probation officers, properly applied, and the taking of finger-prints, the whole status of the defendant can be definitely and conclusively ascertained before judgment is pronounced . . . There is nothing humiliating nor disgraceful in having the finger-prints taken. Such means of identification are now used in banks and in the Army and Navy of the United States, and they will be invaluable to us in sorting out the different classes of offenders and give the people of the city, through the statistics which will later appear, a better idea than they can possibly have now as to what the forces of law have to contend with.

In the report for 1911, the following statement appears:<sup>2</sup>

The finger-print system . . . has given good results. It protects the woman who is convicted for the first time, and it enables the judge to deal properly with the woman who has been convicted a number of times. Some of these women have been up as many as ten times; a majority at least once before; quite a number, four,

<sup>1</sup> Report of the Board of Magistrates, New York City, 1912, pp. 20-21.

<sup>2</sup> Report of the Board of Magistrates, New York City, 1911, pp. 28, 31.



five, six, and seven times. It shows that we are dealing with a regular army of street-walkers, numbering within certain districts alone, about 3000, who engage in this work as a business and who take the chances of imprisonment as a part of their profession . . . The finger-prints, as time goes on, show a professional and determined array of law-breakers.

The report for 1914 says:<sup>1</sup>

The results of the finger-printing have been astonishingly gratifying and effective. Defendants of both sexes will stand before the magistrate and solemnly state that they have never been in court before, and within a few minutes afterwards the finger-prints will show, two, three, four, or five or even more convictions. This shows the magistrate at once what kind of a case he is dealing with and it is often better than a report made after investigation . . . The results already achieved by finger-printing certain classes of offenders in these courts indicate that the system can be extended, with great public benefit, in the suppression of crimes generally . . . In every case printed in these courts two impressions are taken. The extra copy is supplied to the Department of Correction, so that it accompanies the prisoner to the place of detention, thus furnishing a sure means of identification, and prevents any substitution or change in their names by prisoners. This step has been made necessary by the discovery recently of a thriving trade among prisoners by which a short-term man for a consideration would take the name of a long-term man and personate him at the institution.

Magistrate Cobb in the case of the People vs. Sadie Blum, said:<sup>2</sup>

Science has furnished society with what is to all intents and purposes an absolutely accurate medium of personal identification, viz., the finger-print system. When once generally established it promises to solve problems in criminology with results of far-reaching importance to society . . . The system is spreading over the entire civilized world and has already proved of untold value . . . Its

<sup>1</sup> Report of the Board of Magistrates, New York City, 1914, p. 23.

<sup>2</sup> Magistrate Cobb in People, etc., of N. Y. vs. Sadie Blum, *Inferior Criminal Courts Supplement*, pp. 54, 56, 58.

statistical value with respect to "repeaters" is of the utmost importance; it enables the court to recognize and properly to deal with the previous offender as well as more readily to extend leniency to the first offender; it makes for uniformity of treatment and sentence among the magistrates so far as consistent with the needs of the individual; it is doubtless a deterrent to those whose cases have been finger-printed to know that they will be recognized in any Magistrate's Court in the entire City of New York into which they may come again.

The variety of cases to which it is applied, makes the Fingerprint Bureau of the Magistrates' Courts of particular value.

#### PROFESSIONAL BONDSMEN

An act that may do much to diminish the professional bail-bond evil was enacted by the 1922 legislature (Chap. 303, Laws 1922).

This act provides that any person, firm or corporation, who deposits money or property as bail, or executes as surety any bail-bond more than twice in a month, and who charges a fee therefor, shall be regarded as a professional bondsman.

Such professional bondsmen are no longer permitted to give bonds without a license, which is to be granted by the Superintendent of Insurance of the State of New York.

The act provides that no premium or compensation which is greater than three per cent of the amount of the bond or deposit shall be charged. Those who violate this provision are guilty of a misdemeanor, and are also liable civilly to the client to treble damages for any overcharge.

This act went into effect September 1, 1922.

#### PHYSICAL EXAMINATION

The authority under which the Women's Court and the Health Department Act is found in Secs. 343m and n of the Public Health Law as amended by Chap. 40 of the Laws of 1919, which read as follows:

Sec. 343m. *Suspected Persons.* Whenever the board of health or health officer of a health district shall have reasonable ground to

believe that any person within the jurisdiction of such board or health officer is suffering from, or infected with, any infectious venereal disease and is likely to infect or to be the source of infection of any other person, such board of health or health officer shall cause a medical examination to be made of such person, for the purpose of ascertaining whether or not such person is in fact suffering from, or infected with, such disease, and every such person shall submit to such examination and permit such specimens of blood or bodily discharges to be taken for laboratory examinations as may be necessary to establish the presence or absence of such disease or infection, and such person may be detained until the results of such examinations are known, provided, that the required examination shall be made by the health officer, or, at the option of the person to be examined, by a licensed physician who, in the opinion of the health officer, is qualified for this work and is approved by him, and such licensed physician making such examination shall report thereon to the board of health, health department, or health officer, but shall not issue a certificate of freedom from venereal disease to or for the person examined. Such suspected person may apply to a magistrate for an order restraining such examination and no examination shall then be made except upon order of such magistrate. Before such examination each suspected person shall be informed of this right and be given an opportunity to avail himself or herself thereof.<sup>1</sup>

Sec. 343n. *Persons under Arrest.* Every person arrested for vagrancy as defined under Subdivisions three or four of Sec. 887 of the Code of Criminal Procedure or under Sec. 150 of the Tenement House Law or under any statute or ordinance for any offense of the nature specified in Subdivision four of Sec. 887 of the Code of Criminal Procedure, or arrested charged with a violation of Sec. 1146 or 1148 of the Penal Law, or any person arrested for frequenting disorderly houses or houses of prostitution, shall be reported within 24 hours by the court or magistrate before whom such person is arraigned, to the board of health or health officer of the health district in which the alleged offense occurred, and shall be examined in accordance with the provisions of the preceding section. For purpose of examination and diagnosis as provided in the preceding section, such person may be detained until the results of such examination are known. No such

<sup>1</sup> Amended by Chap. 40, Laws of 1919; in effect March 12, 1919.

person if convicted shall be released from the jurisdiction of such court or magistrate until the person so convicted has been examined as provided for in the preceding section.<sup>1</sup>

The section which particularly influences the procedure at present followed in the Women's Court is Sec. 343n. It will be seen that under this, defendants who are arrested for offenses over which the Women's Court has exclusive jurisdiction are to be reported within 24 hours by the court or magistrate before whom such person is arraigned to the City Board of Health, for examination in accordance with the provision of 343m. This part of the section is not observed by the New York City Health Department for the reason that there is some doubt as to its constitutionality. Therefore, defendants are not at this time detained until after conviction. The discretion for the release of the defendant on bail after conviction is limited by this section until such time as a person so convicted has been examined as provided in Sec. 343m.

Convicted defendants, with a few exceptions noted elsewhere, are given this physical examination by the Bureau of Preventable Diseases of the Department of Health to determine whether they have a venereal disease in an infectious stage. Blood specimens and smears are taken in the Detention Prison by a woman physician assigned by the Bureau for such service. Within twenty-four hours, the Bureau of Laboratories of the Department of Health examines these specimens and submits a report to the Bureau of Preventable Diseases which furnishes the court with a statement certifying the presence or absence of venereal disease in an infectious stage. A diagnosis of syphilis is made on the basis of a positive Wassermann of two plus or over, and of gonorrhea on positive laboratory findings, or on definite clinical findings, or both.

In 1920, it was the practice to send convicted women found to be suffering from a venereal disease to the Workhouse or to one of the three private institutions empowered by law to receive commitments from the Women's Court.<sup>2</sup> Or, if the

<sup>1</sup> Amended by Chap. 40, Laws of 1919; in effect March 12, 1919.

<sup>2</sup> House of Good Shepherd, House of Mercy, and Inwood House.

woman seemed a suitable case to place on probation, she was given an opportunity to enter Kingston Avenue Hospital in Brooklyn, of her own free will, to remain there voluntarily until rendered noninfectious. If, at the termination of a Workhouse sentence, the woman still had a venereal disease in an infectious stage, she was transferred to Kingston Avenue Hospital, there to complete her treatment. Frequently, before full coöperation between the Department of Correction and the Health Department was established in the latter part of 1920, inmates of the Workhouse refused to take treatment from the staff physicians, claiming that they would be sent to Kingston Avenue Hospital anyway at the expiration of sentence. In this way, many Workhouse cases received no treatment whatever during the period studied. Such cases naturally had to be transferred to Kingston Avenue Hospital at the expiration of sentence, so needlessly prolonging their period of confinement. These practices threw first and old offenders together indiscriminately at the hospital, besides offering serious disciplinary problems with which it was not equipped to cope. Health officials contended that theirs was a hospital, not a jail or reformatory. The situation called forth much criticism. Finally, magistrates ascertaining that three months usually sufficed to render a case of venereal disease noninfectious,<sup>1</sup> began in September, 1920, to commit to the Workhouse for 100 days, certain offenders who were found to be diseased.

That this period of time usually suffices to render the case noninfectious seems to be evidenced by the fact that during the present year<sup>2</sup> not one of the 129 cases sentenced to the Workhouse for 100 days was transferred to Kingston Avenue Hospital. In fact, throughout this period, only three Workhouse cases were transferred to the hospital. Two of these had served a 20- and one a 30-day sentence. One of the magistrates has stated:

<sup>1</sup> Of 113 court cases treated wholly at Kingston Avenue Hospital during the first six months of 1920, seven were treated 100 days or over.

<sup>2</sup> Up to June 30, 1922.

Whereas it is no doubt true that in theory the 100-day sentence is not proper because it requires a consideration of the physical condition of the defendant rather than her delinquency, yet as practiced at the present time, it appears that this sentence is applied to the class of defendants to whom the magistrate might well be justified in giving a sentence of that length.

From the three tables which follow, it will be noted that 67 of the 129 cases with a venereal disease, sentenced to the Workhouse were first offenders. It should be stated that none of the 67 cases was considered suitable for probation. Only six of the 129 were under 21; more than half, between 21 and 30; while ten were over 40. Correlating the facts shown in the first two tables, we find from the third table that the six cases under 21 years of age were all first offenders; of the 80 cases between 21 and 30, 40 were first offenders and 22, second offenders; seven had had four or more previous convictions.

*Offense and Age of Cases with a Venereal Disease, Sentenced to 100 Days in the Workhouse, January 1 to June 30, 1922<sup>1</sup>*

OFFENSE	TOTAL	AGE AT TIME OF ARREST						
		19-20	21-25	26-30	31-35	36-40	41-45	Over 45
Soliciting <sup>2</sup>	99	4	23	35	15	12	6	4
Offering to secure a prostitute (C. C. P. Sec. 887-4b)	4	...	...	3	...	1	...	...
Permitting premises to be used for immoral purposes (C. C. P. Sec. 887-4e)	6	...	...	2	4	...	...	...
Violating Tenement House Laws (T. H. L. 150 Sub. 3, 4, 5)	20	2	15	2	1	...	...	...
TOTAL	129	6	38	42	20	13	6	4

<sup>1</sup> Compiled from original papers in the Women's Court and from records of the Finger-print Bureau.

<sup>2</sup> For offenses included under this grouping, see Table 1, Footnote 3, in the Appendix.

*Relation of Offense to Number of Previous Convictions of Cases with a Venereal Disease, Sentenced to 100 Days in the Workhouse, January 1 to June 30, 1922<sup>1</sup>*

OFFENSE	TOTAL	NUMBER OF PREVIOUS CONVICTIONS								
		0	1	2	3	4	5	6	7	10
Soliciting <sup>2</sup>	99	47	26	9	7	4	1	2	2	1
Offering to secure a prostitute (C. C. P. Sec. 887-4b)	4	2	1	1	...	...	...	...	...	...
Permitting premises to be used for immoral purposes (C. C. P. Sec. 887-4e)	6	6	...	...	...	...	...	...	...	...
Violating the Tenement House Laws (T. H. L. 150 Sub. 3, 4, 5)	20	12	4	2	1	...	1	...	...	...
TOTAL	129	67	31	12	8	4	2	2	2	1

<sup>1</sup> Compiled from original court papers in the Women's Court and from records of the Finger-print Bureau.

<sup>2</sup> For offenses included under this grouping, see Table 1, Footnote 13, in the Appendix.

*Correlation of Age and Previous Convictions of Cases with a Venereal Disease, Sentenced to 100 Days in the Workhouse, January 1 to June 30, 1922<sup>1</sup>*

NUMBER OF PREVIOUS CONVICTIONS	TOTAL	AGE AT TIME OF ARREST						
		19-20	21-25	26-30	31-35	36-40	41-45	Over 45
0	67	6	20	20	10	8	...	3
1	31	...	10	12	4	3	1	1
2	12	...	3	3	3	1	2	...
3	8	...	2	3	2	...	1	...
4	4	...	2	1	...	...	1	...
5	2	...	1	...	1	...	...	...
6	2	...	...	2	...	...	...	...
7	2	...	...	...	...	1	1	...
10	1	...	...	1	...	...	...	...
TOTAL	129	6	38	42	20	13	6	4

<sup>1</sup> Based upon two preceding tables.

The nature of the treatment for venereal disease given by Kingston Avenue Hospital and by private institutions, during the first six months of 1920, is discussed in connection with those institutions.

At present,<sup>1</sup> after a girl convicted in the Women's Court and treated in Kingston Avenue Hospital has been rendered non-infectious, she is returned to the court for sentence. Usually, if her conduct while under treatment at the hospital has been good, she is placed upon probation. If, however, her conduct is unfavorably reported upon, or the investigations of the Probation Department do not seem to warrant it, she is committed to a private institution, the State Reformatory, or the Workhouse. Of 118 women with a venereal disease, convicted in the Women's Court during the first six months of 1920, and treated at Kingston Avenue Hospital before sentence, 25 were still in the hospital on June 30, 1920; 89 were placed upon probation; one was committed to the House of Good Shepherd; and three to the Workhouse.<sup>2</sup>

*Treatment for Venereal Disease.* Certain factors must be taken into consideration in discussing the treatment of the 230 women found, after conviction in the Women's Court during the first six months of 1920, to have a venereal disease in an infectious stage: First, place of treatment. Some received treatment wholly at Kingston Avenue Hospital; some, wholly at the Workhouse; and some partly at the Workhouse and partly at Kingston, owing to the practice prevailing at that time of transferring infectious cases of venereal disease from the Workhouse to Kingston at the expiration of sentence. Still other cases, as indicated in Table 10, were treated in private institutions. Second, length of treatment. This can be stated definitely only in regard to those who received their treatment wholly at Kingston Avenue Hospital. For, although the date of admission to the Workhouse hospital and the date of discharge there-

<sup>1</sup> August, 1922.

<sup>2</sup> See Table 13 in the Appendix.



from to the prison proper is duly recorded, these dates do not necessarily indicate the length of treatment at the Workhouse, because, owing to limited hospital accommodations at that time, it was the practice to place in the prison those women who were thought least liable to spread contagion. Their treatment, however, was continued.

The length of treatment of the 118 cases entering Kingston Avenue Hospital direct from the court during the first six months of 1920 was ascertained with respect to 113. The range of treatment in days was from five to 70 for syphilis, from 22 to 119 for gonorrhea, and from 43 to 115 for syphilis and gonorrhea. The average length of treatment for these diseases was as follows: 46.3 days for syphilis; 65.4 days for gonorrhea; and 69.9 days for syphilis and gonorrhea. Eighty-eight cases with a venereal disease were sentenced to the Workhouse, 33 of whom completed the necessary treatment there; the remaining 55 being transferred to Kingston Avenue Hospital.

*Venereal-Disease Tables.* Table 9, in the Appendix, shows the incidence of venereal disease in cases of women convicted in the Women's Court, New York, January 1 to June 30, 1920. Of 465 women convicted during this period, all but 30 (6.4 per cent) were physically examined. Twenty-six of those not examined were incorrigibles, who are examined only at the request of parent, guardian, or probation officer. Of the 379 women examined, who were convicted of offenses involving prostitution, 193, or 50.9 per cent, were found to have a venereal disease in an infectious stage: 67, gonorrhea; 101, syphilis; and 30, both diseases. Of the 81 convicted of incorrigibility, 55 (68 per cent) were examined, of whom 67.2 per cent were infected. This high percentage is not surprising, however, in view of the fact that only those who presumably have exposed themselves to infection are examined.

Table 10 shows the immediate disposition by offense of cases with a venereal disease, convicted in the Women's Court, New York, January 1 to June 30, 1920. Of the 230 venereal-disease

cases, 118 were treated at Kingston Avenue Hospital; one was placed upon probation; one received a suspended sentence; one, a drug case, was sent to Riverside Hospital; 21 were committed to private institutions; and 88, to the Workhouse. In this period, therefore, over half of the diseased, convicted women were treated at Kingston Avenue Hospital, while more than a third were committed to the Workhouse, receiving treatment there.

From Table 11, cases of women with a venereal disease, convicted in the Women's Court, New York, January 1 to June 30, 1920, who received treatment at Kingston Avenue Hospital, it will be seen that in addition to the 118 women who agreed to enter Kingston, 55 were transferred from the Workhouse to Kingston at the completion of their sentences. These 173 women received treatment for the periods indicated in Table 12 which with the one following, has already been discussed. Table 14 shows the cases of women with a venereal disease, sentenced to the Workhouse by the Women's Court, New York, January 1 to June 30, 1920, and admitted to Kingston Avenue Hospital at the expiration of sentence, showing relation between length of detention in Workhouse and length of subsequent treatment in Kingston Avenue Hospital.

*Previous Convictions of Women with a Venereal Disease, Convicted in the Women's Court, January 1 to June 30, 1920<sup>1</sup>*

NUMBER OF PREVIOUS CONVICTIONS	TOTAL	DISEASE WITH WHICH INFECTED		
		Syphilis	Gonorrhea	Syphilis and Gonorrhea
0	103	28	62	13
1-3	65	35	16	14
4 or more	25	17	6	2
TOTAL	193	80	84	29

<sup>1</sup> Compiled from the card records of the Committee of Fourteen and records of the Department of Health and the Finger-print Bureau.

From the table on page 458, it will be seen that over half of the 193 infected women convicted of offenses involving prostitution were first offenders, while those convicted four or more times comprised scarcely more than a tenth of the infected group.<sup>1</sup>

#### KINGSTON AVENUE HOSPITAL

Pavilion No. 3 of Kingston Avenue Hospital in Brooklyn, one of four hospitals maintained by the Department of Health for the treatment of contagious diseases, has been used for the treatment of women with venereal disease, since August, 1919. Prior to that time, such cases were treated at Riverside Hospital. Since September, 1920, the hospital has admitted voluntary cases from the city as a whole or from the Women's Court, provided that they are not under 16, or hardened offenders. Pregnant cases on the onset of labor are transferred to Kings County Hospital, a block away, being returned to Kingston Avenue Hospital shortly after confinement, for continued treatment.

The hospital records show:

Number of patients in hospital, Jan. 1, 1920.....	85
Number of patients admitted to hospital, Jan. 1 to June 30, 1920..	303
	<hr/>
	388
Number of patients admitted to hospital, Jan. 1 to June 30, 1920, for	
Syphilis .....	136
Gonorrhea .....	112
Syphilis and Gonorrhea.....	55
	<hr/>
	303
Number of patients admitted to hospital, 1920, for	
Syphilis .....	199
Gonorrhea .....	250
Syphilis and Gonorrhea.....	113
	<hr/>
	562

<sup>1</sup> The incorrigible group cannot be included in this study because they are not finger-printed.

Of the 303 cases admitted to the hospital from January 1 to June 30, 1920, 118 came from the Women's Court and 55 from the Workhouse. The remaining 130 applied voluntarily for treatment. The superintendent pointed out that former patients sometimes returned for treatment or advised friends to take treatment there.

Pavilion No. 3, comprising ten wards divided into glass cubicles, has 120 beds. This pavilion was designed for the treatment of diphtheria cases. When it became necessary, however, to move venereal-disease cases from Riverside Hospital, it seemed well adapted to their treatment, particularly as the arrangement of the wards afforded proper segregation for cases of active syphilis and gonorrhea. White girls occupy the lower- and colored, the upper-floor wards. A well-equipped operating room is used also for administering salvarsan and mercury. Another room provides for douche treatment of gonorrheal cases. A report of the Department of Health says:<sup>1</sup>

Through the courtesy of the Public Health Service, there were presented to the hospital three irrigating tables. The principal feature of these tables is represented by a holding device for hot water, or chemical irrigation solution, whereby it is possible to begin irrigation with a solution of as high a temperature as the patient can bear in the initial injection, and change, without discontinuing irrigation, to a temperature several degrees higher. The patient, herself, can manipulate the device and one nurse can direct treatment for several patients at one time. This method of treatment lessens the length of the infection and permits discharge of cases much earlier than was the case before it was installed.

Upon entering the hospital, the girl is interviewed and examined by the woman hospital physician in charge of venereal service. A card record is kept for each case, showing name, address, date, manner of admission, diagnosis, a brief social history, entries of the precise nature of each treatment administered, date of discharge, and other pertinent facts. On the day

<sup>1</sup> Annual Report of the Department of Health, 1919, p. 222.

of our visit in June, 1922, the pavilion count was 87. The superintendent stated that recently it had varied from 85 to 100.

While under treatment in the hospital, the patients are assigned definite duties. Each one cares for her own cubicle; some wait upon bed cases, others serve meals and assist the matrons in various ways. They enjoy the use of a room furnished with piano, pianola, books, and easy chairs. An original and thoroughly worthwhile activity is afforded through the co-operation of the Board of Education, which, on November 1, 1920, assigned two teachers to the hospital. One instructs a group, organized as an ungraded class, in English, arithmetic, music, drawing, and other rudimentary subjects, while the other teacher gives sewing lessons. A practical feature of her instruction to pregnant girls is showing them how to make layettes in accordance with certain specified requirements. Thus, before leaving the hospital, the girl has usually made for herself a complete layette of approved style. Materials are furnished partly by the Board of Education and partly by private agencies. Six hours and twenty minutes daily, exclusive of Saturday and Sunday, are supposed to be devoted to educational work, but as this is secondary to medical treatment and duties around the hospital, the time spent in this way is usually less.

Before discharging a case of syphilis which is not actively infectious, the Department of Health, in 1920, and at the present time<sup>1</sup> administers at least six salvarsan and twelve mercurial injections. Clinical symptoms of the disease must, of course, be absent. An attempt is always made to hold the case until negative, the Wassermann test being made once a week. Even though negative, however, on one or more tests, the patient is not released until the prescribed dosages have been administered. Before discharging a case of gonorrhea, "an approved course of treatment" must be given. The condition of release is phrased in this way, according to the Bureau of Preventable Diseases, because many different types of dosage are given. In addition to the required treatment, the case must show two con-

<sup>1</sup> June, 1922.

secutive negative smears from the urethra, vagina, and cervix, respectively, taken a week apart.

Although these women are not discharged by the hospital until they are no longer infectious, it is frequently desirable that clinical treatment be continued. However, no follow-up system was in force in 1920, and at present such a system remains incomplete. The Bureau of Preventable Diseases estimates that five per cent of the cases discharged by the hospital, continue treatment.

#### PROBATION

Probation has been applied to women sex offenders convicted in the Magistrates' Courts of New York City, since 1901. Under Sec. 98 and 98a of the Inferior Criminal Courts' Act, as amended by Chap. 516, Laws of 1918

. . . An adult convicted of an offense of which a magistrate has summary jurisdiction may be placed on probation for such time as the magistrate may deem proper, not longer, however, than one year. . . .

After a conviction or a plea of guilty, a magistrate sitting as such . . . may remand the defendant . . . for a period not to exceed three days for investigation before pronouncing sentence . . .

In the same act, provision is made for the appointment of probation officers, their powers and duties being broadly specified. When the two divisions of the City Magistrates' Courts were combined into one, by Chap. 531 of the Laws of 1915, a corresponding consolidation was effected by legal enactment in the probation departments of the two divisions. Thus, Sec. 96 of the Inferior Criminal Courts' Act, as amended by Chap. 531 of the Laws of 1915, provides, with respect to the City Magistrates' Courts, as follows:

96. Probation Officers; appointment and removal. . . . The chief probation officer and each of the probation officers of the City Magistrates' Courts in office on the said day shall be continued as probation officers until removed in accordance with provisions of this act. On or before the first day of August, nineteen hundred and

fifteen, the chief city magistrate shall appoint one or more deputy probation officers. The duties of the chief and deputy chief probation officers and of the probation officers shall be prescribed by the chief city magistrate and he shall assign them for service to the courts herein provided for subject to the provisions of this act. No police officer shall be designated or act as probation officer. The chief justice or the chief city magistrate, as the case may be, or a majority of the justices or a majority of the board of magistrates, may at pleasure remove the chief probation officer or any probation officer. The successors of the chief probation officer, deputy chief probation officers, and probation officers of the Magistrates' Court shall be appointed by the chief city magistrate. The chief city magistrate may from time to time appoint such additional probation officers as the board of aldermen, upon the recommendation of the board of estimate and apportionment, may authorize.

97. Powers and duties of probation officers. Each probation officer shall have all the powers and duties conferred upon probation officers by the Code of Criminal Procedure. Probation officers shall keep such records and conform to such rules and regulations as may be established by a majority of the justices or of the magistrates, as the case may be. It shall be the duty of the chief justices and each city magistrate, respectively, to see that such rules and regulations are observed and that such records are properly kept.

By these broad powers, enumerated in Subd. 234 of Sec. 11a of the Code of Criminal Procedure, the work of the Probation Department of the City Magistrates' Court, under the direction of the chief probation officer, is divided into five or six different bureaus or districts. These are supervised by deputy chiefs and probation officers in charge. The probation work of the Women's Court is directed by Miss Alice C. Smith, who for 20 years has labored unremittingly in behalf of wayward girls.<sup>1</sup> Her department comprises four women probation officers who investigate

<sup>1</sup> Miss Smith began her services under private auspices in the Fourth District City Magistrates' Court on East 57th Street in 1902, as the majority of arrested women were arraigned there before the Women's Court was established. She responded, however, to calls from any of the other Magistrates' Courts. In 1907 she was placed upon the Civil Service list and in 1910 was appointed first probation officer of the Women's Court.

and supervise cases residing in their respective districts. In this task the municipal officers receive substantial aid from certain private organizations supported by Catholics, Protestants, and Jews. The Catholic Charities, the Church Mission of Help (an Episcopal organization which looks after any Protestant girl), and the Jewish Board of Guardians<sup>1</sup> each maintains a worker in the court, the Church Mission of Help furnishing in addition a colored worker. Each of these privately appointed agents is directly responsible to the municipal probation officer in whose district her case may reside. Thus, if two Catholic girls living in different probation districts were assigned to the Catholic worker, she would report with respect to one girl to the municipal officer in charge of that girl's district and with respect to the other to the municipal officer in charge of the other district. In this way, a municipal district probation officer in addition to her own probations, is supervising whatever Catholic, Protestant, or Jewish cases she may have assigned to the private agencies already mentioned. This system furnishes an excellent example of how coöperation between public and private organizations may be effected, giving as it does free rein to the private bodies and yet in no way impairing the official character of the probation service. Miss Smith finds the generous assistance given by private agencies of inestimable value.

In the Women's Court, with few exceptions, only first offenders and incorrigibles<sup>2</sup> are investigated by the probation department. Because of inadequate clerical help during the period covered by our study, the records of the department were very limited at that time. There are none from which the proportion of investigated cases placed upon probation could be determined. The chief probation officer of the City Magistrates' Courts estimates that it was then about 30 per cent. He reports for the period January 1 to August 1, 1922, that 829 defendants in the Women's Court were investigated, of whom 384 (46 per

<sup>1</sup> Formerly, Central Committee for Friendly Aid to Jewish Girls.

<sup>2</sup> As incorrigibles are not finger-printed, it cannot be stated whether they are first offenders.



cent) were placed on probation. Of these, 197 (51 per cent) were first treated for a venereal disease in Kingston Avenue Hospital. When a girl or woman arraigned in this court pleads guilty or is convicted, her case is remanded for finger-printing and for a report from the Health Department on her physical condition as to venereal disease. First offenders and certain other cases are investigated by the probation department to determine their fitness for probation. As the City Magistrates' Courts file prints only of those convicted of certain offenses in their own courts, it is necessary to inspect also the finger-print files of the Police Department, for convictions of offenses over which the Magistrates' Courts do not have summary jurisdiction, and of the Department of Correction for conviction of those minor offenses under the designation "disorderly conduct" which are not finger-printed in the Magistrates' Courts. One probation officer usually looks up these records for the day. A preliminary social investigation of first offenders is then made by the municipal probation officers—rarely by the private workers. When the case is called for sentence, the investigating officer communicates orally to the judge in court the result of her inquiries.

If probation is recommended, the girl's mother, father, or guardian (if such can be found)<sup>1</sup> is taken before the judge in order that the conditions of probation imposed by the court may be heard and fully understood. The judge invariably stipulates that the girl shall behave, work, and report as directed, sometimes specifying also with whom she shall live. After the judge has designated her probation officer, the work of supervision begins. In this, as has been pointed out, the municipal officer receives substantial assistance from the workers representing certain private agencies. The girl is visited in her home and required to report regularly at court to her probation officer, who seeks to find suitable employment and wholesome recreation for her. Records at the Central Probation Bureau show

<sup>1</sup> Compare manner of living at time of arrest, Table 15, in the Appendix.

that the municipal officers usually have about 61 cases at a time under supervision.

Six months is the usual period of probation, although occasionally a year is given. The Women's Court requires the probationer to appear informally before one of its magistrates for a brief review of her case before discharge. This became a practice without formal resolution or process of law, early in 1920. At first, one of the judges had these hearings in chambers in the Jefferson Market Building, on alternate Monday nights. Later, an associate shared this voluntary service. The writers, who were present on one of these evenings, were impressed by the thoroughness with which pertinent facts were reported by the officers and the kindness with which the probationer herself was drawn out and questioned by the judge. Relatively few cases have their period of probation extended, although it may be continued for an additional three months if the judge sees fit. Before dismissing a case, the judge considers the probationer's reported behavior and work records, forming in addition his own estimate of her general attitude.

During the first six months of 1920, 186 cases, constituting 40 per cent of the 465 cases convicted in the Women's Court in that time, were placed upon probation. Of these, 89 (47.8 per cent) were first treated in Kingston Avenue Hospital for a venereal disease. In order to determine the extent to which defendants in the Women's Court had ever been placed upon probation previously, a special study of convictions in the first three months of 1920 was undertaken. This revealed 379 arraigned cases, of whom 245 were convicted. Of the latter, 42 cases were incorrigibles and therefore not finger-printed. It was found that 21 of the 203 convicted of offenses involving prostitution had been placed upon probation once prior to conviction in 1920 and one of these was again given probation at the 1920 hearing. Two of the 203 convicted women had been placed upon probation twice prior to 1920, of whom one again received probation at that time.

Of the 69 cases placed upon probation during the first three months of 1920 (exclusive of incorrigibles) 61 were first offenders; six had been previously convicted once; one, three; and one, five times. Thus, 11.9 per cent of finger-printed probationers were not first offenders. As no special study of their histories was attempted, these exceptions to the general policy of the court are not explained. Of these 69 cases (up to October 1, 1921)<sup>1</sup> seven were subsequently convicted once; one for intoxication and six for violating the Tenement House Law. They were sentenced as follows: one to Bedford; four to the Workhouse for 2, 20, 30, and 100 days respectively. One received an indeterminate sentence to the Workhouse. Eight of the same group of 69 violated their probation and warrants for their arrest were issued. Three had absconded; one, however, was found five months later and sent to Bedford; one was committed to the Workhouse; three, to private institutions; and in one case, probation was continued. In five cases, the violations consisted in failure to report and to live where directed, and in three cases, in disorderly conduct at Kingston Avenue Hospital.

In New York as elsewhere, through the courtesy of the Probation Department, we were permitted to examine 50 records as a means of noting definitely the practices of the department and for statistical purposes. Two sets of consecutive records were studied, one of the first 25 cases placed upon probation in 1920 and one of the last 25 in the period ending June 30, 1920. In this way, as in other cities, allowance was made for possible seasonal influence upon conduct. These 50 cases constitute 26.8 per cent of the 186 cases placed upon probation during the first six months of 1920 and should, therefore, be considered a fair sampling. The period covered extends from the date when the probationer first became known to the court, that is, from September, 1910, when finger-prints were first taken, to October 1,

<sup>1</sup> For comparative purposes the study was not carried beyond the period studied in Philadelphia and Boston.

1921.<sup>1</sup> In Tables 15 through 18 in the Appendix, we have summarized the results of our study.

Table 15, a statistical analysis of the social history of our 50 cases, shows that 40 probationers were convicted of prostitution, loitering, or soliciting; only seven are incorrigibles. The remaining three offered to secure a prostitute or permitted premises to be used for immoral purposes. Thirty-six of the probationers are white and 14 colored. Eleven are of foreign birth. Nine are under 20 years of age; 24 are less than 25 years old. Four are over 50. Seventeen are single. Fifteen are Catholic, 27 Protestant, and eight Jewish. In four instances, the school record is not stated, and in nine it is miscellaneous in character. Of the 37 whose schooling is definitely recorded, nine attended high school (two completing the course); 14 completed the eighth grade; six, the seventh; two, the sixth; and the remaining five went no farther than the third, fourth, or fifth grades. At the time of arrest, 20 were living with parents, husband, or other relative; six were living with lover; the others were keeping house or boarding.

The number of convictions prior and subsequent to the one in 1920 at which the 50 women received probation, is indicated in Table 16. Of the four who are not first offenders, three are credited with one previous, and one with three previous convictions. These, like the cases cited on pages 466-7, constitute, apparently, an exception to the general rule. Up to October 1, 1921,<sup>1</sup> only four of the 50 probationers were again convicted in a magistrates' court, each once.

Table 17, relating to the incidence of venereal disease in the group, shows that 45 were examined for both gonorrhea and syphilis. The five not examined are incorrigibles, who are examined only at the request of parent, guardian, or probation officer. Of the 45 examined, 20 were found to have a venereal disease in an infectious stage, 12 being infected with syphilis,

<sup>1</sup> See footnote 1, p. 467.

six with gonorrhea, and two with syphilis and gonorrhea. All were treated at Kingston Avenue Hospital. No psychologist or psychiatrist is attached to this court at present. In January, 1920, Dr. John S. Richards was detailed by the Department of Charities to make a preliminary examination of convicted women who were thought by the court or probation department to be mentally defective. On his recommendation, magistrates committed suspected cases to Bellevue for observation. According to monthly bulletins issued by the Committee of Fourteen, less than 100 cases were examined in our six-month period. Of these, one was sent to Bellevue for observation.<sup>1 2</sup>

The records of the probation department do not state systematically who, if anyone, was seen by the officer when she called at the girl's home. It is possible, therefore, merely to indicate the number of calls made and the number of times the probationer reported to her officer. These facts are shown in relationship in Table 18. Twelve girls were never visited, of whom ten had returned to their homes in other cities. The homes of 27 were visited from one to three times; and of 11, from four to eight times. Twelve never reported to their officer; six reported from one to three times; 13, from four to ten times; and the remaining 19, from 11 to 18 times.

Correlating visits and reporting, we find that seven were not visited and did not report. Of these, four lived in other cities. Of the 27 who were not visited more than three times, 16 reported ten or more times; of the six who did not report more than three times, four were never visited; the other two were visited two or three times.

<sup>1</sup> These are classed as follows: Three, high grade moron; two, border line; one, mental age of ten.

<sup>2</sup> On October 17, 1920, the New York Probation and Protective Association gave to the Women's Court, the part-time services of a psychiatrist who for ten months examined women convicted there. The results of these examinations, made by Dr. Augusta Scott, are published in *Mental Hygiene*, vol. vi, no. 2, April, 1922, in an article entitled: Three Hundred Psychiatric Examinations Made at the Women's Day Court, New York City.

The status of these cases on October 1, 1921,<sup>1</sup> was as follows:<sup>2</sup>

Finished with improvement and not re-arrested.....	38
Finished without improvement and not re-arrested.....	3
Finished with improvement and re-arrested once.....	2
Finished without improvement and re-arrested once.....	1
Probation revoked and sent to House of Good Shepherd.....	1
Absconded .....	4
Absconded and later re-arrested for a new offense.....	1

Thus, three fourths of the cases made good, so far as known.

As already pointed out in this series of reports on specialized courts, too great importance must not be attached to bare records. They are broadly indicative of practices obtaining in each court. In the very nature of the case, they are more definite on the negative than on the positive side. So long as probation officers are overburdened with cases, actual work must take precedence over detailed entries regarding the officer's activities and observations.

*Records.* Data relating to probationers are filed in individual, numbered folders, indexed by name. Each folder contains a preliminary investigation sheet and a sheet showing record of supervision. The obverse of the former sheet contains essential identification, police and court information, a record of previous court and institutional experiences, and the reverse calls for certain social facts. The record sheet contains a blank schedule showing dates of visiting and reporting by officer and probationer, respectively; employment record; date of expiration or continuance of probation, with results. Each month, the probation officer fills out a schedule showing time spent daily on duty, whether in court attendance or on investigation, supervision, or clerical work; the number of home visits and the number of investigations.

At the central Probation Bureau, cards which briefly summarize the court and social history of each probationer are filed.

<sup>1</sup> This date corresponds to the one concluding the study of subsequent records in Philadelphia.

<sup>2</sup> The summary is based upon the records of the Finger-print Bureau and the probation officers' records covering estimated result of probation.

Owing to the Bureau's limited staff, practically no compilations of the valuable social data recorded are made. The Annual Report of the City Magistrates' Courts for 1920 contains only the statistics of the Probation Department of the Women's Court presented below:

WOMEN'S COURT—BOROUGH OF MANHATTAN AND THE BRONX

Probationers received during year.....	467
Probation officers .....	4
Average number pending at any one time.....	60

RESULTS OF PROBATION

	Number	Per cent
Discharged with improvement.....	344	77.3
Discharged without improvement.....	41	9.2
Revoked and committed.....	24	5.4
Absconded and lost from oversight.....	36	8.1
Total .....	445	100.

HOME VISITS

Total visits .....	797
Probation officers .....	4
Average per officer.....	199
Average per case.....	3

INVESTIGATIONS

Total investigations .....	792
Probation officers .....	4
Average per officer.....	198

PUBLIC INSTITUTIONS

*Bedford Reformatory*

This is the New York State Reformatory for Women.

Sec. 89 of the Inferior Criminal Courts Act provides that women, convicted of offenses over which the Women's Court has exclusive jurisdiction, may be sentenced as follows:

2. The magistrate may commit such female for the term of three years to the State Reformatory for Women at Bedford, pursuant to the provisions of Sec. 226 of the State Charities Law, Chap. 55 of the Consolidated Laws as amended, to be there confined as provided by such law . . .

Such sentences are indeterminate, and the person so sentenced may be released upon parole at any time before the expiration of the sentence by the parole board of Bedford.

A recent publication of the Board of Control of Bedford Reformatory contains the following statement:

The State Reformatory for Women at Bedford Hills, New York, was founded by an Act of Legislature of the State of New York in the year 1892, for the reformation and training of delinquent women between the ages of sixteen and thirty.

The institution, which covers nearly 200 acres of farming country, is located among the picturesque hills of Westchester County. It is built on the cottage system with all modern facilities and is ideally adapted for the physical, mental, and moral reformation of delinquent young women.

On their admission to the institution, inmates are received in the reception house. Here they undergo quarantine as well as observation for physical and mental disorders, are classified according to their physical and mental health and previous record of delinquency, prior to their transfer to an appropriate cottage in the main colony.

This admission building is one of the group which was built and equipped by Mr. John D. Rockefeller, Jr., and leased to the state at a nominal cost of one dollar per year.

After a period of quarantine, classification, and opportunity for adaptation to the general life of the institution, the inmates receive training in the following departments: Academic and Commercial Training, Cooking, Industrial, Farming, Music, Athletics.

In the training of the inmates—mental, physical, and industrial—the aim is to avoid routine, group, and haphazard methods. Each individual is carefully studied from a psychiatric and psychologic standpoint, in the endeavor to discover, not only the natural ability and aptitude for certain work, but also the individual's desire and inclination, which are so essential to ultimate success.

The work is not meted out to the inmates as a species of discipline or punishment. On the contrary, they are made to feel that their occupation and training is intended to develop their latent energies and talents, thus insuring economic independence and future welfare upon their return to community life.

Catholic, Protestant, and Jewish religious services are held weekly



and every effort is made to awaken the spiritual consciousness of the inmates.

A rational parole system is one of the most important factors in reformatory work.

To-day there are scattered throughout the state girls who have passed through the institution. Some are happily married, mothers of our future citizens; others are in trades and gainful occupations, a number occupying positions of trust in their various communities.

To carry on the policy of helping the girl to help herself, a parole committee has recently been organized and developed. The object of the committee is to visit and keep in touch with the inmates shortly after they enter the institution and to do intensive case work in furnishing aftercare to those who are paroled or discharged, with a view of rehabilitating them.

The Board of Managers, the Superintendent, and the Parole Officers of the institution hold monthly conferences in which the private agencies, Catholic Protective Society, Church Mission of Help, and Jewish Board of Guardians, also take part, and extend their valuable coöperation. At these conferences, each individual inmate to be paroled is carefully considered so that she may be restored to the environment best suited to her needs. A monthly report of each girl's status is submitted to the Board of Managers by the various agencies, and difficult cases are discussed.

Following is a report of the Parole Committee from Nov. 1, 1920 to Jan. 1, 1922:

Number placed on parole.....	114
Re-arrested on new charge and returned.....	3
Violated parole and returned to institution.....	7
Violated parole, whereabouts unknown.....	27
Discharged from parole.....	23
Remaining on parole and conditions satisfactory.....	54
Total .....	114

These figures indicate that 67 per cent of the girls who have been paroled during this period and placed in various occupations and vocations in the community are doing satisfactorily.

### *Workhouse*

The Workhouse, a gray, granite structure erected early in the last century, is one of the institutions maintained by the

Department of Correction. It stands on Welfare Island,<sup>1</sup> one of a group of islands lying in the East River used for city charges. The Workhouse receives commitments from the Magistrates' Courts and the Court of Special Sessions. A central building, containing kitchen, dining room, chapel, sewing and other rooms for general use, connects the north and south wings, formerly used for women and men prisoners, respectively. In 1920, the Workhouse was in process of change. The men prisoners had been removed to other institutions of the Department of Correction and the south wing, in which they had been formerly confined, was being remodeled as a clearing house for women prisoners. It was planned to use the entire building exclusively for women. The women prisoners, meantime, were still housed in the three-tier north wing, with fairly large outside cells. The tiers extend around a large, oblong, central space. At that time, Penitentiary cases (women) committed by the Court of General Sessions, the Court of Special Sessions, the County Court, and the Supreme Court, were kept in this same wing. It was the practice then, as now, to place white and colored Penitentiary and Workhouse cases in separate cell blocks. Such segregation is little more than a form, however, as the women roam around more or less freely when not confined to their cells. On the ground floor are seven or eight "coolers," all empty when the Workhouse was visited in March, 1920. On that day, there were 100 Workhouse and 35 Penitentiary women in the wing. This count was said to be low—the usual number being about 200. The remodeled south wing, formerly used for the men, now serves as a hospital for the women. In 1920, the women inmates were doing practically all of the work about the building. The chef, storekeeper, carpenters, and plumbers constituted the main exceptions. The superintendent stated that most of the women put in an eight-hour day, cleaning, laundering, sewing, and other housework. Visitors were allowed once in two weeks. Interviews took place in the presence of a matron and police-officer, one on each side of a heavy screen with an exceedingly fine mesh. Prisoner and

<sup>1</sup> Formerly Blackwell's Island.

visitor were compelled to hold their hands behind their backs while talking, because formerly visitors had been detected slipping drugs through. While talking, they would lean against the screen and pry the meshes apart with a knife. The Workhouse had in 1920 a well-equipped operating room, and medical and surgical wards of 10 or 12 beds each. At that time, however, as has been pointed out in the section on venereal disease, relatively few took treatment. According to the Acting Medical Director, these numbered scarcely more than a dozen women out of 100 to 150. Records, which were kept by the inmates, are considered unreliable. Many were actually destroyed. Thus, little knowledge of practices in 1920 can be gleaned from those still available. Inmates were examined at expiration of sentence by a doctor from the Board of Health and if found to be diseased were transferred to Kingston Avenue Hospital.

The use of a portion of the Workhouse as a place of detention for women awaiting trial is discussed on page 414. The tiers used in 1920 for the Workhouse and Penitentiary women remain practically unchanged.<sup>1</sup> Changes effected in the past two years relate chiefly to hospital facilities and methods of treating venereal-disease cases. Five rooms are reserved for the reception and examination of the committed women. On entering the Workhouse, her valuables are checked, she is stripped, bathed, and given an enema. On the next day she receives a general and local examination. Very few psychiatric examinations have been given. The woman is isolated for 24 to 48 hours for these preliminaries. After close coöperation was established between the Department of Correction and the Department of Health, in the latter part of 1920, diseased women rarely refused to take treatment. They were given a minimum standard treatment differing only in method, from that followed at Kingston Avenue Hospital.<sup>2</sup> The treatment was intensively administered over three successive days, the patient resting for the balance of the week. Further, the patients do not douche themselves, as at

<sup>1</sup> August, 1922.

<sup>2</sup> Described on p. 459.

Kingston Avenue Hospital. The treatments are rapidly given by two men doctors and two nurses, assisted by two inmates who drape the patients. While two patients are on the table taking treatment, two stand ready to replace them and two wait their turn in the doorway. Treatments for gonorrhea take from three to five minutes. About 100 cases are treated at each clinic. Of 321 women in the Workhouse and Penitentiary on August 15, 1922, 167 were under treatment in the hospital wing, which was opened in June, 1921. The hospital has separate wards for general medical cases, surgical cases, tuberculosis, drug addicts, gonorrhea and syphilis, with a total capacity of 190 beds. In August, 1922, the Workhouse hospital was designated a hospital of the Department of Health. This means that women still having a venereal disease at the expiration of sentence may be transferred to the hospital adjoining and thus assume the status of "patients." A portion of the central building connecting the two wings, is used as a place of detention for arrested women known to be in immediate need of medical treatment. These women mingle in no way with convicted women in either wing.

#### PRIVATE INSTITUTIONS <sup>1</sup>

Subd. 1 of Sec. 89 of the Inferior Criminal Courts' Act refers to women convicted in the Women's Court, using the following language:

The magistrate may commit such female for the term of three years in the Boroughs of Manhattan and the Bronx to the Roman Catholic House of the Good Shepherd, the Protestant Episcopal House of Mercy, or the New York Magdalen Benevolent Society <sup>2</sup> . . .

<sup>1</sup> Because of the difference of the laws of procedure in New York from those of the other cities, which laws provide that commitments from the Magistrates' Courts may be made to certain designated private institutions, it has been found advisable to describe these institutions in connection with the New York report. This was not done in the reports of the other cities because of the absence of laws of this character.

<sup>2</sup> Now called "Inwood House."

*House of the Good Shepherd*

The Good Shepherd, one of the cloistered orders of the Roman Catholic Church, began its mission in New York on Fourteenth Street shortly before the Civil War. Within a few years, outgrowing these quarters, it moved into a cottage on the site of its present extensive property, covering the city block bounded by 89th and 90th Streets, the East River, and Avenue A. The present buildings of red brick with granite trimmings were completed in 1862.

Prior to the passage of the Inferior Criminal Courts' Act in 1910, the charges of the Good Shepherd entered voluntarily or were brought in by parents or private agencies. The Page Law, quoted in part above, designated the Roman Catholic House of the Good Shepherd, among others, as an institution to which magistrates may commit "females convicted of certain offenses," for a term not to exceed three years.

The City pays 80 cents a day for each girl committed by the court, and usually such cases comprise half the population. The expenses of the institution are said by the Mother Provincial to be met by city and county appropriations, by donations, and by earnings from "activities," as the commercial work of the institution is termed.

Through the courtesy of the Mother Provincial, Miss Topping was conducted over the House of the Good Shepherd and informed concerning the scope of its work. The House ministers to two main classes of delinquents, the self-committed and those committed by the court. With the exception of a few colored girls committed on remand by the Juvenile Court, no girl under 16 years of age is received.<sup>1</sup> No limitations are imposed as to the girl's religion, although the majority are Catholics, or as to the number of offenses she may have committed. Unmarried mothers are not received, but if a pregnant girl is sent there, she is transferred to the City or Metropolitan Hospital, usually in the sixth month of pregnancy. Unless her baby dies, the home

<sup>1</sup> White girls under 16 years of age are cared for by this order at St. Germaine's Home at Peekskill.

does not readmit her. The Catholic Protective Society is informed of such cases in order that it may assist the girl when she leaves the hospital.

Inmates of the House of the Good Shepherd are divided according to age into two groups, housed in separate buildings. The younger, comprising girls from 16 to 21 years of age, is termed "St. Mary's Class"; and the older, comprising those over 21, "St. Michael's." Within these classes still other divisions exist, for shortly after admission the girl is assigned to a group of six or eight judged to be of her own "moral status." The members of each group are strictly forbidden to talk to or associate with members of other groups. As the girls are under constant surveillance, it is claimed that this rule is easily enforced, although it becomes somewhat more flexible during class work.

*Admission.* Girls brought by their families or sent by the courts are detained for two or three weeks in the Reception House (in which there is a seven-bed dormitory for this purpose) where they are observed in order to determine where they can best be fitted into the life of the institution. Their worldly name is then replaced by that of a saint and they are assigned to their class and group. The mental tests previously made by a psychologist are now given by a sister trained for this purpose. Each girl is given a general and local examination.

*Infirmery.* This building, to which girls may be sent for any kind of illness, is in charge of a sister who is a trained nurse. Four isolation rooms and one room with four beds comprise the usual accommodations, although one floor used as a dormitory for those assigned to work in the building may be used wholly for patients, if necessary.

*Visitors.* During two weeks of the month, girls may receive visits from members of their immediate family.

*St. Mary's Class.* This class numbered 120 on the day of the visit.<sup>1</sup> It occupies a five-story building, with refectory on the

<sup>1</sup> August, 1922.

main floor and a recreation hall on the second. The third and fourth floors are devoted to dormitories, with 60 beds each, ranged in four or five rows. A chair stands by each bed, over the foot of which are hung the girl's towel and washcloth. Four or five toilets and baths are installed at the end of each floor. The girls retire at eight and rise at six. At night "grand silence" is observed by all and the girls are under surveillance while they sleep. The industrial room on the fifth floor used for sewing, embroidery, beading, and millinery, is equipped with 60 power machines. The attic serves as a sewing room, rest room, and an emergency dormitory.

The entire class receives instruction in grade subjects, and those qualified take commercial courses. Still others are trained in domestic science in a modernly equipped school-kitchen. This program is carried on by the Board of Education of New York City, which in November, 1921, assigned two teachers to the House of the Good Shepherd. The number has since been increased to five. On the day the institution was visited, eleven Board of Education diplomas issued to inmates, were on exhibition. These certified to satisfactory completion of grammar-school studies in accordance with the standards of required public schools in the city. Teachers from the Board of Education instruct the class from one to three in the "School Building" in the subjects already mentioned. In the morning and after three in the afternoon, they are trained in certain industrial arts: sewing, embroidery, beading, and millinery. Two or three New York firms supply the convent with the necessary materials and pay for the finished products. The factory which provides the material for aprons, shirts, and similar merchandise, installed the power machines already referred to. In addition, it assigns one of its women to instruct the girls and to supervise their work. The power plant is shut down in the afternoon, but the hand work is carried on from three to five, by those employed at the machines in the morning. After five, the class has recreation. The convent aims to have the girls learn to make articles

for which there is a large, steady demand. At the rear of the industrial room, the girls are taught by a trained sister to make beading and embroidery in the manner carried on in commercial establishments. On the day of the visit, the girls were embroidering and beading flounces for evening gowns. These were held securely in large frames on which the girls worked rapidly and well. It was said that in periods of slack work, the Good Shepherd workroom was given preference. The girls were observed to be under close surveillance by a sister who was seated on a high platform commanding a view of the entire room.

*St. Michael's Class.* This class, housed in a separate building, numbered 140 on the day visited. Like St. Mary's, it has a refectory on the main floor and two floors used as dormitories corresponding to St. Mary's in capacity. In place of the recreation and industrial rooms, however, two floors are used as laundries—one for the work of the sisters and inmates, and one for work from the outside. Both have the complete, modern equipment of commercial laundries. Outside work is received mostly from private families, colleges, etc. Laundry work is the only industrial occupation carried on by St. Michael's Class. They are instructed, however, in grade subjects from 9 to 11, in the School Building. Or, if they are foreigners, they are admitted to the Americanization class. Their hours are so arranged, however, that they do not come in contact with the members of St. Mary's Class. Among the older women were observed many wearing the black dress and silver cross of the "consecrated" as those are called who, at expiration of their sentence, elect to remain there another year. This promise may be renewed from year to year. Indeed, many wearing the garb of the consecrated were gray-haired women. Answers in response to the sister's queries as to how long they had been there, varied from 20 to 40 years.

Food is prepared for both groups in a kitchen which connects the two class-buildings.



*Parole and Follow-up.* Girls are not paroled from the institution. On discharge, they are referred for follow-up work to the Catholic Protective Society.

*Boarding Home.* About a year ago the sisters fitted up a floor in one of the buildings, apart from the other girls, as a boarding place for homeless, friendless girls discharged from the institutions. Here they are allowed to remain for a "nominal" sum, until they can find satisfactory accommodations elsewhere. The floor reserved for these girls serves as a combination living and dining room with a row of cubicles, used as bedrooms, opening from it. Six or eight girls may live here.

*Records.* In the record room is a file containing a card for each girl admitted to the institution, and a bound book in which is entered the chronological record of admissions showing name, age, offense, dates of admission and discharge, and other pertinent data. Another book records transfers to hospital and length of treatment there, and other medical records. These records were consulted for the purpose of finding out how long the girls committed from the Women's Court during the first six months of 1920 had been kept at the House of the Good Shepherd.

Although only 35 cases were committed to the House of the Good Shepherd by the Women's Court during the first six months of 1920, the four who were sent there in July, after treatment at Kingston Avenue Hospital, have been included in our analysis because of the small number of cases available for study.

The 39 girls and women were convicted of the following offenses: soliciting,<sup>1</sup> 12; permitting premises to be used for immoral purposes, 1; prostitution in tenements, 6; incorrigibility, 20. Nineteen were under 21 and therefore in St. Mary's Class; and 19 over 21, in St. Michael's Class.<sup>2</sup> In St. Mary's, 17 were incorrigibles and two prostitutes. In St. Michael's, the majority

<sup>1</sup> For offenses included under this heading, see Table 1, footnote 13, in the Appendix.

<sup>2</sup> The age of one girl is not stated.

were committed for offenses involving prostitution, although three, aged, 22, 23, and 25, respectively, were charged with incorrigibility. While most of those in St. Michael's Class were between 21 and 30, four were over 40.

All committed for offenses involving prostitution were examined at the court for venereal disease: eleven were not infected; four had syphilis; three, gonorrhea; and one, syphilis and gonorrhea. Twelve of the 20 incorrigibles were examined by the court: two were not infected; one had syphilis; seven, gonorrhea; and two, syphilis and gonorrhea. When the remaining eight incorrigibles were examined at the House of the Good Shepherd, one, a pregnant girl, was found to have gonorrhea; of the seven not infected, three were pregnant. Of the entire 39 women, seven were pregnant, of whom two had gonorrhea. Of the 24 women requiring hospital care because diseased or pregnant, five were first treated at Kingston Avenue Hospital, nine received treatment at the City or Metropolitan Hospital, and ten were treated in the institution itself.

While nothing could be learned of the previous and subsequent convictions of the incorrigibles, as they are not finger-printed, records of the 19 women convicted of offenses involving prostitution were looked up, with the following result: seven were found to have no previous or subsequent<sup>1</sup> convictions; eight, who had had from one to 17 previous convictions, were not subsequently convicted in the Women's Court; one, with eight previous convictions, was subsequently convicted once; two, with seven and nine previous convictions, respectively, were subsequently convicted twice; and one, with 17 previous convictions was subsequently convicted five times.

The girls in St. Mary's Class are said to remain in the institution a year. Twelve of the 20 in that class remained a year or more.<sup>2</sup> Nine of these 12 girls were neither infected nor pregnant when admitted.<sup>3</sup> Of the remaining seven members of the class

<sup>1</sup> Up to July 1, 1922.

<sup>2</sup> One has been in the institution two years and four months and is still there.

<sup>3</sup> Four had been treated at Kingston Avenue Hospital prior to admission.

who were kept less than a year, all were infected with a venereal disease or pregnant. Five of these were in the institution less than six months.

Women in St. Michael's Class are said to remain in the institution about six months. Of the 19 in that class, five were kept six months and ten, from ten months to a year. Nine of these 15 women were free from infection. The four who were detained less than six months<sup>1</sup> were pregnant or infected.

The fact that in both classes only pregnant or diseased women were kept less than the time usually prescribed, taken in conjunction with the large proportion of noninfected or nonpregnant girls and women among those detained the full time or longer, would seem to establish a definite connection between health and the period of detention.

### *House of Mercy*

The House of Mercy, a Protestant-Episcopal home to which girls may be committed from the court under the section of the Page Law that applies to the House of the Good Shepherd and Inwood House, received but two commitments from the Women's Court during the first six months of 1920. About two years ago, the institution closed temporarily and moved to Valhalla, New York.

### *Inwood House*<sup>2</sup>

Inwood House, organized in 1833 and incorporated in 1851, has for its purpose "the promotion of moral purity in the City of New York in a way both preventive and corrective." The work is nonsectarian. Until 1920, it provided a reformatory on Bolton Road, Inwood, overlooking the Hudson, for unfortunate and wayward girls (immoral and intemperate) from 16 to 30 years of age. They were committed from the Women's Court in accordance with the provisions of Sec. 89 of the Inferior Criminal Courts' Act, which designates the New York Magdalen Benevolent Society as a place of commitment for females con-

<sup>1</sup> The time varied from one to four months.

<sup>2</sup> Formerly the New York Magdalen Home.

victed of certain offenses. Girls were also received at the request of parents or private agencies or they could enter voluntarily.

From January 1 to May 28, 1920,<sup>1</sup> 43 girls and 14 babies were admitted to Inwood House. Twenty-four of the girls were committed from the Women's Court. At that time they were taught certain school subjects, domestic science, sewing, and laundry work. Special provisions were made for unmarried mothers, who were instructed in the care of their babies. Efforts were made to find positions where they might have their babies with them.

For many years, the institution has been giving douche and mercury treatments for venereal diseases. In 1916, more intensive work was started. Cases of gonorrhea were given packing about three times a week and douches every day. When they showed three negative smears, they rested for a time, after which treatment was renewed. Treatments were continued until there was no discharge whatever, and three negative smears were secured over a period of two weeks. Smears on these cases were taken at monthly intervals until the time of the girl's discharge. Cases of syphilis received a course of ten treatments with salvarsan administered once a week, or twice if the case was very active. At the same time, hypodermics of mercury were given twice a week until twenty had been received by the patient. A two-weeks' rest followed this course of treatment, at the end of which time a blood test was given. If the result was still positive a similar course of treatment followed. This plan was continued until a negative Wassermann resulted. Three negative Wassermans obtained over a period of three months were usually considered evidence that the disease was held in check. Wassermans on each of these cases were, however, taken monthly during the first year and later, at stated intervals, until her discharge from the Institution. Girls were also mentally examined in 1920.

Before discussing the change of policy adopted by the Board

<sup>1</sup> After this date, for reasons which will be explained later, Inwood received no further court commitments until August, 1922.

of Managers in 1921, it may be well to comment briefly upon the 24 cases referred to. Eight were committed for soliciting; two for violating the Tenement House Law; and 14 for incorrigibility. Fifteen were under 21; six, between 21 and 25; and three, between 26 and 30. Three, convicted of soliciting, had syphilis, and two incorrigibles had gonorrhea. One incorrigible was pregnant. Previous and subsequent convictions of incorrigibles cannot be stated, as they are not finger-printed. Of the ten convicted of offenses involving prostitution, three had been convicted formerly once, and two, twice. Two others were subsequently re-arrested while on parole, convicted, and sent to Bedford. One had spent six and one nine months in Inwood House. Another was re-sentenced to the Workhouse.<sup>1</sup> With the exception of these three cases, all are still<sup>2</sup> out on parole after having spent from three to nine months in the institution. Three were in the institution three months; four, seven months; ten, eight months; and four, nine months.

After the Board of Managers of Inwood House had transferred its girls to other institutions or paroled them, it sold its property, in June, 1920, to the Jewish Memorial Hospital, and rented a house on East 54th Street for headquarters and for any paroled cases requiring special care.

In March, 1921, after carefully studying the needs of delinquent and pre-delinquent girls in New York City, "the Board of Managers decided to continue its policy of caring for the girl committed from the court, to be received regardless of religion, but the age limit to be from 16 to 21 years."<sup>3</sup>

At present,<sup>2</sup> Inwood maintains a reception home and clearing house for girls committed by the Women's Court or referred by individuals or agencies. There they attempt to appraise the girl scientifically by means of physical and mental examinations

<sup>1</sup> This girl was sent to Bellevue for observation five days after admission, and returned to Inwood where she remained for nearly three weeks before re-sentence to the Workhouse.

<sup>2</sup> August, 1922.

<sup>3</sup> Annual Report, Inwood House, 1921, p. 8.

as well as by observation of her conduct and attitude while in the home. Twenty girls may be accommodated here. The house staff now comprises an executive secretary, four matrons (two day, one night, and one kitchen), and a visiting woman physician. The Board of Managers plans to open small boarding homes from time to time, where ten or twelve girls may live while they continue their education or work in the community. Inwood House will seek to place in charge of these homes a matron whose influence may prove more potent than rules or precepts. After the girl has been thoroughly studied in the central clearing house, the work will be decentralized, community facilities being employed to the utmost. They aim not to institutionalize the girl, rather to develop and adjust her in the outside world. Their plan represents an intermediate stage between probation and an institution, with all the freedom of the former minus the unnatural environment of the latter. As an experiment designed to meet the needs of the problem or delinquent girl, it is bound to be observed with deep interest.

*Florence Crittenton League, Inc.*<sup>1</sup>

No provision has been made in New York for a municipal temporary house of detention for girls who have been arrested, pending their disposition. It was early demonstrated that such an institution was necessary and the needs have been largely filled by two private institutions, namely, Florence Crittenton Home and Waverly House.<sup>2</sup>

The home of the Florence Crittenton League was opened in 1914 as a place of detention for girls 16 or over, brought in by

<sup>1</sup> Section 77a of the Inferior Criminal Courts' Act designates the Florence Crittenton Home and Waverly House as places to which defendants convicted in the Women's Court may be detained for observation and study for a period not to exceed 14 days unless such period is extended with the consent of the defendant for an additional period of the same length.

<sup>2</sup> A very few of the incorrigibles are detained at Waverly House, a private institution maintained by the New York Probation and Protective Association. The principal function of the Society is not to serve the Women's Court but the needs of the pre-delinquent girl. For this reason it is not deemed advisable to describe its activities.

the police or private agencies or sent temporarily from the Women's Court. Although the work of this branch of the National Florence Crittenton Mission differs considerably from that carried on elsewhere in the United States, the national organization allows it to use a four-story and basement house on West 21st Street, rent and tax free. For its running expenses, however, the League depends entirely upon voluntary contributions.

The only sentenced cases received are a few probationers brought there by their officers until a suitable plan can be made for them or until they are returned to their homes out of town.

The house has a capacity of 25, although, at need, as many as 39 have been cared for. Its staff comprises a non-resident house physician, five resident, and two non-resident matrons. One of the matrons, a trained nurse, acts as superintendent of the League, and another, as dietitian. Under the direction of the matrons, the girls do all the housework, except the laundering.

On entering the Home, the girls are bathed and their scalps cleansed. A record is then taken showing name, age, how referred, family history, and other important facts. Later, this record is verified by one of the matrons who makes also a social investigation. Each admitted girl is examined by the house physician and, if it seems desirable, referred to a psychiatrist for a mental examination.<sup>1</sup> No seriously infected girl is allowed to remain in the Home.

On the first floor is a large, attractive room used for conferences and similar activities. At the rear is the office. Dining room, kitchen, and laundry are in the basement. Two large rooms on the second floor are set aside for sewing and recreation. Opening from the latter is a small room with three beds used for unmarried mothers and their babies. The two upper floors serve as dormitories, one with nine, and one with twelve beds. The doctor's examining room is on the top floor.

<sup>1</sup> The New York Probation and Protective Association and Inwood House have both made available for this purpose the services of their psychiatrists.

### THE PAROLE COMMISSION LAW

The following authoritative statement relating to the history and origin of the Parole Commission Law was prepared by Dr. Katharine Bement Davis,<sup>1</sup> who was Commissioner of Corrections of New York City at the time the law was enacted:

The Indeterminate Sentence and Parole Law, Chap. 579 of the Laws of 1915, amended by Chap. 287 of the Laws of 1916, was passed at the 1915 session of the Legislature of the State of New York.

The Department of Correction of New York City was directly responsible for the enactment of this law.

The law was framed only after many consultations with the chief magistrate, other representative magistrates and judges of superior courts, and persons interested in prison reform.

A rough draft of the bill had been prepared by the Department of Correction. This was submitted to the Bill Drafting Bureau of Columbia University, redrafted by them, and submitted to the Bill Drafting Bureau at Albany, who modified it only as to forms of expression, not as to content.

With reference to that portion of the law which refers to the Workhouse, the considerations leading to the special provisions in the law were these: To the Workhouse, prisoners were sentenced from the magistrates' courts for definite terms not to exceed six months. In the Workhouse were prisoners who had anywhere from one to ten terms annually and who over a period of years had sentences varying in number from half a dozen to two hundred (an extreme case). In many instances this type of prisoner remained in the Workhouse for a few days only, was discharged and reentered the institution within a month. Obviously this was futile so far as any help for the prisoner was concerned and expensive for the public who pay for the repeated rearrests and trials, especially as in many instances the individual prisoner preyed upon the public between sentences. With this in mind the law was framed to provide an indeterminate sentence not to exceed two years and administered by a parole commission with the power of parole and parole supervision.

1. It provided that only those prisoners were to be affected who had had two previous convictions during the preceding twenty-four months, or three previous convictions within any period (the two and the three

<sup>1</sup> General Secretary of the Bureau of Social Hygiene.



convictions it will be noted are *preceding* convictions—not the conviction on which the indeterminate sentence is given, which will be at *least* the third or fourth conviction, respectively.

2. It would thus give a prisoner who was capable of improvement in place of the short definite term, insufficient for physical rehabilitation, for the formation of new habits, or for any industrial training, a term of sufficient length to accomplish actual rehabilitation.

It was the purpose of the Department of Correction to develop Riker's Island as a farm colony and Hart's Island as an industrial colony for the men prisoners, and to establish at Greycourt a farm colony for women. The old Workhouse would be used as a clearing house.

By the parole provisions of the law, these hopeful prisoners could be released according to the discretion of the Parole Commission and would be under the supervision of parole officers in the community until the expiration of the two years.

3. For the recidivist for whom there was little hope of rehabilitation there would be custodial care for at least two years. Where the indeterminate sentence had been applied and the time served and where the prisoner in a very brief space again committed an offense, it would practically mean permanent custodial care. In our judgment this was desirable, both from the point of view of the prisoner and of the community.

4. It was our intention that the law should be mandatory so far as the imposition of an indeterminate sentence upon Workhouse prisoners was concerned provided they had the requisite preliminary number of convictions (two or three). We believe that the law should be interpreted as mandatory in this particular.

It will be noted that the wording of Section IV of this law bears out this interpretation. It reads: "Then the court *shall* sentence such offenders."

5. The law does not mean that the magistrate has no discretion in the sentencing of such offender. It is mandatory only *if he desires to commit such offender to the Workhouse*. He retains his power of suspended sentence, probation, or sentence to some other institution. In the case of women offenders he has the choice of commitment to a private or a state institution.

The law provides for the creation of a parole commission in cities of the first class, wherein there is a Department of Correction having jurisdiction over a workhouse, penitentiary, and a reformatory. A parole commission is provided for by resolution of the Board of Estimate and Apportionment and is appointed by the mayor. The commission includes the commissioner of correction, the commissioner of police, and three other members appointed by the mayor. The act provides that any magistrate or judge who shall make commitments under indeterminate sentences to the Workhouse may sit as a member of the parole commission during the consideration of the eligibility for parole of any person committed by him, with authority to vote. The section with which this study is particularly concerned is section 4, which reads as follows:

After the creation of a parole commission in any of the said cities as hereinbefore provided, any person convicted of any crime or offense upon conviction for which the court may sentence to a penitentiary, workhouse, city prison, county jail, or other institution under the jurisdiction of the Department of Correction of said city, who shall not be committed in default of payment of a fine imposed, or for failure to furnish surety or sureties upon a conviction of disorderly conduct tending to a breach of the peace or of abandonment, and who is not insane or mentally or physically incapable of being substantially benefited by the correctional and reformatory purposes of any such institution, shall, if sentenced to any institution under the jurisdiction of the Department of Correction in said city, be sentenced and committed to a penitentiary or a workhouse or a reformatory under the jurisdiction of the said Department of Correction. No person shall be committed to a penitentiary under the jurisdiction of a Department of Correction in any such city because of failure to pay any fine or fines imposed, or for failure to furnish surety or sureties, or to a penitentiary, reformatory, or workhouse under the jurisdiction of a Department of Correction in any such city for a term of imprisonment with a fine imposed in addition to the term of imprisonment. The term of imprisonment of any person sentenced to any such penitentiary shall not be fixed or limited by the court in imposing sentence. The term of such imprisonment shall be terminated

in the manner prescribed in section five of this act and not otherwise, and shall not exceed three years. The term of imprisonment of any person sentenced to any such workhouse shall be fixed by the court in imposing sentence which term shall be for a definite period and shall not exceed six months; provided, however, that no person convicted in any of said cities of vagrancy, disorderly conduct tending to a breach of the peace, public prostitution, soliciting on streets or public places for the purpose of prostitution, or the violation of section one hundred and fifty of chapter ninety-nine of the laws of nineteen hundred and nine, as amended, shall be sentenced to any such workhouse for a definite term until the finger-print records of the City Magistrates' Courts of said city, are officially searched with reference to the particular defendant and the results thereof duly certified to the court; and provided, further, that if it shall appear to the court at any stage of the proceeding prior to the imposition of sentence and after due notice and opportunity to the defendant to be heard in opposition to such accusation of prior convictions that any person convicted of any or each of these offenses last enumerated has been convicted of any or each of these offenses two or more times during the twenty-four months just previous, or three or more times previous to that conviction, then the court shall sentence such offender to a workhouse of the said Department of Correction in said city for an indeterminate period. The term of imprisonment of any person convicted and sentenced to any such workhouse for an indeterminate period shall not exceed two years and shall be terminated by the parole commission in the manner prescribed in section five of this act and not otherwise. Commitment to reformatories for male misdemeanants under the jurisdiction of a Department of Correction in any of the cities as aforesaid shall be made in conformity with laws providing for such institutions and commitments thereto. The term of imprisonment of persons so convicted and sentenced to reformatories shall be terminated by the parole commission in the manner prescribed in section five of this act and not otherwise.

Nothing in this section shall be deemed to interfere with or prevent the commitment of any person in accordance with law to a state institution not under the jurisdiction of a Department of Correction in any of the said cities which was on May tenth, nineteen hundred and fifteen, or now is or may hereafter be authorized by law to receive persons convicted in the courts in any of said cities.

A study of the records for the first six months of 1920 discloses 97 cases in which the Parole Commission Law was applicable. Only 41, however, were given sentences under this law. The following table indicates that during this period the law was not applied in the majority of eligible cases:

<i>41 Cases in Which Law Was Applied</i>		<i>56 Cases in Which Law Was Not Applied</i>	
No. of Cases	No. of Previous Convictions	No. of Cases	No. of Previous Convictions
1	18	1	20
1	13	2	18
3	12	1	17
1	10	1	16
3	9	1	14
7	8	1	10
3	7	3	8
8	6	2	7
3	5	6	6
8	4	7	5
		21	4
		10	3

The reason for this lies in the fact that many of the magistrates believe that the law is discretionary in Workhouse sentences. They, therefore, do not apply it in all cases in which it was intended to be applied, and in pronouncing sentence they take into consideration other circumstances besides those of the number of previous convictions.

The law reads:

If it shall appear to the court . . . that any person convicted of any or each of these offenses last enumerated has been convicted of any or each of these offenses . . . two or more times during the twenty-four months just previous, or three or more times previous to that conviction, *then the court shall sentence such offender to a workhouse . . . for an indeterminate period.*

In the opinion of the writers, this section of the law is mandatory as to persons sentenced to the Workhouse. The law, if discretionary, seems to be so only in that it apparently still leaves with the magistrates the power to impose sentences to

Bedford or private institutions or to place upon probation or suspend sentence.

### CONCLUSION

The study was facilitated through the access given by the Committee of Fourteen<sup>1</sup> to its card records of prostitution cases in the Women's Court. These cards are prepared monthly by the Committee in the preparation of the Committee's monthly bulletin and study of court proceedings. This bulletin is an intensive study of the court's proceedings for the month, and is distributed to the Chief City Magistrate, the judges especially assigned to the court, and the various agencies interested in and working with the court.

The final number of this series of studies, which will appear in the next issue of the JOURNAL OF SOCIAL HYGIENE, will contain a comparison of the practices in the four courts studied, together with recommendations and a statement by the writers, of what the essentials of a court for sex delinquents should be, based upon the conclusions drawn from their study of the courts.

<sup>1</sup> This Committee, a voluntary organization formed in 1905 to suppress commercialized vice, follows most carefully the proceedings in the Women's Court, which, with the decrease of disorderly house cases in the Court of Special Sessions to a comparatively inconsiderable number, due to the change of vice conditions and amendments of the law, has become the center of legal proceedings to suppress prostitution in New York City.

*Editors' Note.*—The Appendix, which follows, contains the tables relating to the Women's Court of New York.

TABLE 1. DISPOSITION OF CASES OF SEX OFFENDERS ARRAIGNED IN

OFFENSE	TOTAL NUMBER ARRAIGNED	DEFAULTED <sup>3</sup>	DISCHARGED <sup>4</sup>	SUSPENDED SENTENCE	PAROLED TO WAVERLY HOUSE	KINGSTON AVENUE HOSPITAL <sup>5</sup>	
						Sentence prior to June 30, 1920 <sup>6</sup>	Sentence pending June 30, 1920 <sup>6</sup>
Soliciting <sup>12</sup>	272	10	56	1 <sup>14</sup>	...	37	13
Offering to secure a prostitute (C. C. P. Sec. 887-4b)	11	2	6	...	...	...	...
Permitting premises to be used for immoral purposes (C. C. P. Sec. 887-4e)	44	...	20	...	...	5	...
Prostitution in tenements (T. H. L. 150-Sub. 3, 4, 5)	235	16	68	...	...	37	4
Incorrigibility <sup>15</sup>	122	...	41	1	1	18	8
TOTAL	684	28	191	2	1	97	25

<sup>1</sup> Compiled from the card records of the Committee of Fourteen, which were transcribed from the original court papers.

<sup>2</sup> This table, like the corresponding tables for Chicago, Philadelphia, and Boston, includes only those cases receiving sentence prior to July 1, 1920 and excludes cases still pending June 30, 1920.

<sup>3</sup> For amount of bail forfeiture, see Table 5.

<sup>4</sup> "Discharged" includes, in addition to those acquitted:

Discharged on technicality.....	2
Discharged on motion of District Attorney.....	3
Discharged to Letchworth Village.....	2
Discharged to Bellevue for observation.....	2
Discharged, insane.....	4

<sup>5</sup> Sentence deferred and on defendant's consent she was sent to Kingston Avenue Hospital for treatment for infectious venereal disease. Two drug cases were sent to Riverside Hospital, and four to Bellevue, for in this period drug cases were tried in Women's Court.

<sup>6</sup> This column includes cases placed on probation at the time of sending to the hospital. Table 13 shows the disposition of cases after discharge from the hospital.

THE WOMEN'S COURT, NEW YORK CITY, JANUARY 1 TO JUNE 30, 1920<sup>1,2</sup>

OFFENSE	CONVICTED						TOTAL NUMBER CONVICTED	PER CENT CONVICTED (OF THE TOTAL NUMBER ARRAIGNED)
	PROBATION <sup>8</sup>	INSTITUTIONS						
		Private			Public <sup>10</sup>			
		Inwood House	House of Mercy	House of Shepherd	Workhouse <sup>11</sup>	Workhouse Parole Commission <sup>12</sup>		
Soliciting <sup>13</sup>	59	8	2	12	99	12	206	75.
Offering to secure a prostitute (C. C. P. Sec. 887-4b)	1	...	...	...	2	...	3	27.2
Permitting premises to be used for im- moral purposes (C. C. P. Sec. 887-4e)	11	...	...	1	10	2	24	54.5
Prostitution in tenements (T. H. L. 150 Sub. 3, 4, 5)	74	2	...	6	60	5	151	64.2
Incorrigibility <sup>15</sup>	41	14	...	16	...	...	81	67.5
TOTAL	186	24	2	35	171	19	465	67.9

<sup>7</sup> This disposition, being of a temporary nature, does not affect the total number arraigned and convicted, the 97 being distributed throughout the table.

<sup>8</sup> The 25 cases in this column are included in the total number arraigned and convicted because, although their sentence was pending on June 30, 1920, they had been convicted.

<sup>9</sup> This column includes cases receiving treatment at Kingston Avenue Hospital. Table 13 shows the number of probationers receiving such treatment, classified by offense.

<sup>10</sup> During this period no cases were committed to the New York State Reformatory for Women at Bedford Hills.

<sup>11</sup> For length of term, see Table 2.

<sup>12</sup> Sentence indeterminate.

<sup>13</sup> The following offenses are included under the heading "soliciting": loitering, soliciting under Sec. 1458, Sub. 2 of the Consolidation Act, committing prostitution, and offering to commit prostitution, the last named charges being for violation of Section 887-4a and 4g of the Criminal Code, respectively.

<sup>14</sup> Sentence suspended because of Parole Commission Warrant.

<sup>15</sup> An incorrigible may or may not be a sex offender.

TABLE 2. LENGTH OF SENTENCE TO WORKHOUSE OF SEX OFFENDERS  
COMMITTED BY THE WOMEN'S COURT, NEW YORK CITY, JANUARY  
1 TO JUNE 30, 1920<sup>1</sup>

OFFENSE	TOTAL	1 day	5 days	10 days	15 days	20 days	30 days	60 days	90 days	2 mos.	3 mos.	4 mos.	6 mos.
Soliciting <sup>2</sup>	99	2	10	16	4	1	25	19	3	3	10	2	4
Offering to secure a prostitute (C. C. P. Sec. 887-4b)	2	...	1	1	...	...	...	...	...	...	...	...	...
Permitting premises to be used for immoral purposes (C. C. P. Sec. 887-4e)	10	...	4	...	1	...	2	2	...	...	...	...	1
Prostitution in tenements (T. H. L. 150- Sub. 3, 4, 5)	60	1	14	6	1	1	21	7	3	...	5	...	1
TOTAL	171	3	29	23	6	2	48	28	6	3	15	2	6

<sup>1</sup> Compiled from card records of the Committee of Fourteen, which were transcribed from the original court papers. For discussion see pp. 473-476.

<sup>2</sup> For offenses included under this heading, see Table 1, Footnote 13.

TABLE 3. APPEALS FROM THE WOMEN'S COURT, NEW YORK CITY,  
JANUARY 1 TO JUNE 30, 1920<sup>1 2</sup>

OFFENSE	TOTAL	DISMISSED <sup>3</sup>	AFFIRMED <sup>4</sup>	REVERSED
Soliciting <sup>5</sup>	1	...	1	...
Permitting premises to be used for immoral purposes (C. C. P. Sec. 887-4e)	1	...	1	...
Prostitution in tenements (T. H. L. 150-Sub. 3, 4, 5)	3	2 <sup>6</sup>	...	1 <sup>7</sup>
TOTAL	5 <sup>8</sup>	2	2	1

<sup>1</sup> Data secured from card records of the Committee of Fourteen, which were transcribed from the original court papers. For discussion of this table, see p. 17.

<sup>2</sup> For correlation of disposition in General Sessions with disposition in the Women's Court, see Table 4.

<sup>3</sup> Appeal dismissed on the ground that defendant failed to perfect appeal.

<sup>4</sup> Both cases were sentenced to the Workhouse by the Women's Court, for 15 and 30 days respectively, and in both judgment was affirmed without modification.

<sup>5</sup> For offenses included under this heading, see Table 1, footnote 13.

<sup>6</sup> Sentence in the Women's Court, for one, probation; for the other, 30 days in the Workhouse.

<sup>7</sup> Reversed, with new trial in General Sessions if desired.

<sup>8</sup> During the whole year 1920, 10 appeals were determined; during 1921, 19 were determined.



TABLE 4. CORRELATION OF DISPOSITION OF APPEALED CASES IN THE WOMEN'S COURT,<sup>1</sup> AND GENERAL SESSIONS, JANUARY 1 TO JUNE 30, 1920<sup>2</sup>

DISPOSITION IN GENERAL SESSIONS	TOTAL	DISPOSITION IN WOMEN'S COURT	
		Probation	Workhouse
Dismissed <sup>3</sup>	2	1	1 <sup>4</sup>
Affirmed	2	...	2 <sup>5</sup>
Reversed	1 <sup>6</sup>	1	...
TOTAL	5 <sup>7</sup>	2	3

<sup>1</sup> Appeals go to General Sessions on the record; there are no trials *de novo*.

<sup>2</sup> Data secured from card records of the Committee of Fourteen, which were transcribed from the original court papers. For discussion of this table, see p. 409.

<sup>3</sup> Cases did not reach General Sessions because appeals were dismissed on the ground of defendant's failures to perfect appeal.

<sup>4</sup> Sentenced for 30 days.

<sup>5</sup> One sentenced for 15 and one for 30 days. In both cases, judgment affirmed without modification.

<sup>6</sup> Reversed, with new trial in General Sessions if desired.

<sup>7</sup> During the whole year 1920, 10 appeals were determined; during 1921, 19 were determined.

TABLE 5. BAIL FORFEITURES, WOMEN'S COURT, NEW YORK CITY, JANUARY 1 TO JUNE 30, 1920<sup>1</sup>

OFFENSE	TOTAL	\$500 BAIL <sup>2</sup>			
		Cash	Liberty Bonds	Real Estate	Surety Bonds
Soliciting <sup>3</sup>	10	...	7	3	...
Offering to secure a prostitute (C. C. P. Sec. 887-4b)	2	...	2	...	...
Prostitution in tenements (T. H. L. 150-Sub. 3, 4, 5)	16	1	12	2	1
TOTAL	28	1	21	5	1

<sup>1</sup> Data secured from Bail Forfeiture Record in District Attorney's office. For discussion, see p. 425.

<sup>2</sup> These bonds, with the single exception of a real estate bond, were collected for the full amount.

<sup>3</sup> For offenses included under this heading, see Table 1, Footnote 13.

TABLE 6. DISPOSITION OF FIRST ONE HUNDRED CASES ARRAIGNED IN 1920 IN THE WOMEN'S COURT, NEW YORK CITY, SHOWING NUMBER OF ADJOURNMENTS PRECEDING FINAL DISPOSITION <sup>1</sup>

DISPOSITION	TOTAL	NO AD-JOURNMENTS <sup>2</sup>	AD-JOURN-ED ONCE	AD-JOURN-ED TWICE	AD-JOURN-ED THREE TIMES	AD-JOURN-ED FOUR TIMES	AD-JOURN-ED FIVE TIMES	AD-JOURN-ED SEVEN-TEEN TIMES
Defaulted	2	2	...	...	...	...	...	...
Discharged	25	3	9	8	4	...	...	1
Suspended Sentence—Parole Commission Warrant	1	...	1	...	...	...	...	...
Committed to River-side Hospital	1	...	1	...	...	...	...	...
Probation <sup>3</sup>	27	3	12	8	3	1	...	...
Inwood House	10	7	2	1	...	...	...	...
House of Good Shepherd	6	3	2	1	...	...	...	...
Workhouse	25	3	6	12	3	...	1	...
Workhouse—Parole Commission	3	1	2	...	...	...	...	...
TOTAL	100	22	35	30	10	1	1	1

<sup>1</sup> Compiled from card records of the Committee of Fourteen and the original court papers. For discussion, see pp. 431-2.

<sup>2</sup> The practice of remanding convicted cases is described on p. 424. This type of continuance is not counted as an adjournment.

<sup>3</sup> Includes cases receiving treatment at Kingston Avenue Hospital.

TABLE 7. DISPOSITION OF THE FIRST ONE HUNDRED CASES ARRAIGNED IN 1920 IN THE WOMEN'S COURT, NEW YORK CITY, SHOWING INTERVAL OF TIME BETWEEN ARREST AND FINAL DISPOSITION <sup>1 2</sup>

DISPOSITION	TOTAL	0 days	2 days	3 days	4 days	5 days	6 days	7 days	8 days	9 days	10 days	12 days	13 days	14 days	15 days	Over 15 days <sup>3</sup>
Defaulted	2	2	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Discharged	25	3	...	...	2	...	4	2	1	2	3	1	2	...	1	4
Suspended Sentence—Parole Commission Warrant	1	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...
Committed to Riverside Hospital	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1
Probation <sup>4</sup>	27	...	3	2	4	6	1	4	1	1	1	...	...	1	...	3
Inwood House	10	...	7	1	1	...	...	...	...	...	...	...	...	...	...	1
House of Good Shepherd	6	...	3	1	...	1	1	...	...	...	...	...	...	...	...	...
Workhouse	25	...	3	2	2	...	2	3	...	1	2	2	...	...	1	7
Workhouse Parole Commission	3	...	1	1	...	...	...	...	...	...	...	...	...	...	...	1
TOTAL	100	5	17	7	10	7	8	9	2	4	6	3	2	1	2	17

<sup>1</sup> Compiled from card records of the Committee of Fourteen and the original court papers. For discussion see pp. 431-2

<sup>2</sup> This time interval includes the 48 hours granted for examination after conviction and before sentence is pronounced.

<sup>3</sup> For investigation only.

<sup>4</sup> Of these, ten were in the hospital. The seventeen cases were continued as follows: three, for 17 days; three, for 21 days; one, for 23 days; one, for 24 days; one, for 31 days; one, for 35 days; two, for 39 days; one, for 40 days; one, for 41 days; one, for 57 days; one, for 76 days; and one, for 265 days.

<sup>5</sup> Includes cases receiving treatment at Kingston Avenue Hospital.

TABLE 8. RELATION OF NUMBER OF ADJOURNMENTS OF CASES OF SEVENTY-EIGHT WOMEN TO INTERVALS OF TIME BETWEEN ARREST AND FINAL DISPOSITION <sup>1</sup>

TIME INTERVALS	TOTAL	NUMBER OF ADJOURNMENTS					
		1	2	3	4	5	17
3 days	7	7	...	...	...	...	...
4 days	10	10	...	...	...	...	...
5 days	7	5	2	...	...	...	...
6 days	8	3	4	1	...	...	...
7 days	9	2	6	1	...	...	...
8 days	2	1	1	...	...	...	...
9 days	4	1	1	2	...	...	...
10 days	6	2	4	...	...	...	...
12 days	3	...	2	1	...	...	...
13 days	2	...	2	...	...	...	...
14 days	1	...	...	1	...	...	...
15 days	2	...	2	...	...	...	...
Over 15 days	17	4	6	4	1	1	1
TOTAL	78	35	30	10	1	1	1

<sup>1</sup> Based on Tables 6 and 7.

TABLE 9. INCIDENCE OF VENEREAL DISEASE IN CASES OF WOMEN CONVICTED IN THE WOMEN'S COURT, NEW YORK, JANUARY 1 TO JUNE 30, 1920<sup>1</sup>

OFFENSE	TOTAL NUMBER AR- RAIGNED	TOTAL NUMBER CON- VICTED	TOTAL NUMBER EXAM- INED (of those con- victed) <sup>2</sup>	NOT IN- FECTED	INFECTED				
					Total	Per cent of those ex- amined	Gonor- rhea	Syph- ilis	Gonor- rhea and syphilis
Soliciting <sup>3</sup>	272	206	203	95	108	53.2	30	59	19
Offering to secure a prostitute (C. C. P. Sec. 887-4b)	11	3	3	2	1	33.3	...	...	1
Permitting premises to be used for immoral purposes (C. C. P. Sec. 887-4e)	44	24	24	13	11	45.8	4	7	...
Prostitution in tene- ments (T. H. L. 150- Sub. 3, 4, 5)	235	151	149	76	73	48.9	28	35	10
Incor- rigibility	122	81	55	18	37	67.2	27	6	4
TOTAL	684	465	434	204	230	52.9	89	107	34

<sup>1</sup> Compiled from card records of the Committee of Fourteen, which were transcribed from the original court papers, and from the records of the Bureau of Preventable Diseases. For discussion of this table, see p. 457.

<sup>2</sup> As a rule, all convicted women, except incorrigibles, are examined as a matter of routine. Girls convicted of incorrigibility may also be examined upon request of relative or probation officer.

<sup>3</sup> For offenses included under this heading, see Table 1, Footnote 13.

TABLE 10. IMMEDIATE DISPOSITION BY OFFENSE OF CASES OF WOMEN WITH A VENEREAL DISEASE CONVICTED IN THE WOMEN'S COURT, NEW YORK, JANUARY 1 TO JUNE 30, 1920<sup>1</sup>

OFFENSE	TOTAL NUMBER OF VENE- REALY DIS- EASED WOMEN	HOS- PITAL <sup>2</sup>	PRO- BATION	SUS- PENDE SEN- TENCE	INWOOD HOUSE	HOUSE OF MERCY	HOUSE OF GOOD SHEP- HERD	WORK- HOUSE	WORK- HOUSE PAROLE COMMIS- SION
Soliciting <sup>4</sup>	108	47	1	...	2	1	8	45	4
Offering to secure a prostitute (C. C. P. Sec. 887-4b)	1	...	...	...	...	...	...	1	...
Permitting premises to be used for im- moral purposes (C. C. P. Sec. 887-4e)	11	5	...	...	...	...	...	4	2
Prostitution in tene- ments (T. H. L. 150-Sub. 3, 4, 5)	73	41	...	...	...	...	1	29	2
Incorrig- ibility	37	26	...	1	4	...	5	...	1
TOTAL	230	119	1	1	6	1	14	79	9

<sup>1</sup> Compiled from card records of the Committee of Fourteen and from records in Kingston Avenue Hospital. For discussion of this table, see p. 456.

<sup>2</sup> Kingston Avenue Hospital, with the exception of one drug case sent to River-side Hospital.

<sup>3</sup> For disposition after discharge from hospital, see Table 13.

<sup>4</sup> For offenses included under this heading, see Table 1, Footnote 13.

TABLE 11. CASES OF WOMEN WITH A VENEREAL DISEASE CONVICTED IN THE WOMEN'S COURT, NEW YORK, JANUARY 1 TO JUNE 30, 1920, WHO RECEIVED TREATMENT AT KINGSTON AVENUE HOSPITAL<sup>1</sup>

OFFENSE	TOTAL	ADMITTED FROM	
		Jefferson Market Court	Workhouse <sup>2</sup>
Soliciting <sup>3</sup>	70	46	24
Offering to secure a prostitute (C. C. P. Sec. 887-4b)	1	...	1
Permitting premises to be used for immoral purposes (C. C. P. Sec. 887-4e)	8	5	3
Prostitution in tenements (T. H. L. 150-Sub. 3, 4, 5)	68	41	27
Inconigibility	26	26	...
TOTAL	173	118	55

<sup>1</sup> Compiled from card records of the Committee of Fourteen and records in the Kingston Avenue Hospital. For discussion of this table, see p. 458.

<sup>2</sup> In 1920 it was the practice to continue treatment in Kingston Avenue Hospital of cases whose sentences in the Workhouse had expired before they were rendered noninfectious.

<sup>3</sup> For offenses included under this heading, see Table 1, Footnote 13.

TABLE 12. RELATION BETWEEN THE VENEREAL DISEASES AND LENGTH OF TREATMENT, IN KINGSTON AVENUE HOSPITAL<sup>1</sup>

DISEASE	TOTAL	LENGTH OF TREATMENT					
		5-30 days <sup>2</sup>	31-60 days <sup>3</sup>	61-70 days	71-80 days	81-119 days	Unknown
Gonorrhea	63	1	30	8	8	11	5
Syphilis	78	9	63	3	...	...	3
Gonorrhea and syphilis	32	1	16	6	4	5	...
TOTAL	173	11	109	17	12	16	8

<sup>1</sup> Compiled from records in Kingston Avenue Hospital.

<sup>2</sup> Of those detained from five to 30 days, three escaped.

<sup>3</sup> Of those detained from 31 to 60 days, two were returned to court; one for stealing and one for disorderly conduct.

TABLE 13. DISPOSITION MADE IN THE WOMEN'S COURT, NEW YORK,  
OF CASES OF WOMEN WITH A VENEREAL DISEASE FIRST TREATED  
AT KINGSTON AVENUE HOSPITAL, JANUARY 1 TO JUNE 30, 1920<sup>1</sup>

OFFENSE	TOTAL	STILL IN HOSPITAL JUNE 30, 1920	PRO- BATION	HOUSE OF GOOD SHEPHERD	WORK- HOUSE
Soliciting <sup>2</sup>	46	13	32	...	1
Permitting premises to be used for im- moral purposes (C. C. P. Sec. 887-4e)	5	...	4	...	1
Prostitution in tenements (T. H. L. 150-Sub. 3, 4, 5)	41	4	36	...	1
Incorrigibility	26	8	17	1	...
TOTAL	118	25	89	1	3

<sup>1</sup> Compiled from card records of the Committee of Fourteen and records in the Kingston Avenue Hospital. For discussion of this table, see p. 456.

<sup>2</sup> For offenses included under this heading, see Table 1, Footnote 13.



TABLE 14. CASES OF WOMEN WITH A VENEREAL DISEASE SENTENCED TO THE WORKHOUSE BY THE WOMEN'S COURT, NEW YORK, JANUARY 1 TO JUNE 30, 1920, AND ADMITTED TO KINGSTON AVENUE HOSPITAL AT THE EXPIRATION OF SENTENCE, SHOWING RELATION BETWEEN LENGTH OF DETENTION IN WORKHOUSE AND LENGTH OF SUBSEQUENT TREATMENT IN KINGSTON AVENUE HOSPITAL <sup>1</sup>

LENGTH OF DETENTION IN THE WORKHOUSE	TOTAL	LENGTH OF TREATMENT IN KINGSTON AVENUE HOSPITAL					
		5-30 days	31-60 days	61-70 days	71-80 days	81-119 days	Unknown
5 days	7	...	6	...	...	1	...
10 days	9	1 <sup>2</sup>	4	3	...	1	...
15 days	1	...	1	...	...	...	...
20 days	1	...	1	...	...	...	...
30 days	13	1	12	...	...	...	...
60 days	7	...	7	...	...	...	2
90 days	3	1	2	...	...	...	...
2 mos.	2	...	1	...	1	...	...
3 mos.	9	3	4	2	...	...	...
4 mos.	1	...	1	...	...	...	...
TOTAL	55	6	39	5	1	2	2

<sup>1</sup> Compiled from card records of the Committee of Fourteen and records in Kingston Avenue Hospital. For discussion on this table, see p. 458.

<sup>2</sup> Escaped from hospital at end of fourteen days.



TABLE 15. STUDY OF SOCIAL HISTORIES OF FIFTY WOMEN PLACED UPON PROBATION DURING THE FIRST SIX MONTHS OF 1920<sup>1</sup>—Concluded

OFFENSE	AGE AT LEAVING SCHOOL										SCHOOLING										MANNER OF LIVING AT TIME OF ARREST							CHILDREN						
																												LEGITIMACY AND NUMBER OF CHILDREN						
	10 YEARS	12 YEARS	13 YEARS	14 YEARS	15 YEARS	16 YEARS	17 YEARS	18 YEARS	19 YEARS	NOT STATED	THIRD GRADE	FOURTH GRADE	FIFTH GRADE	SIXTH GRADE	SEVENTH GRADE	EIGHTH GRADE	HIGH SCHOOL <sup>2</sup>	MISCELLANEOUS <sup>3</sup>	NOT STATED	PARENTS	HUSBAND	RELATIVE	KEEPING HOUSE	BOARDING HOUSE	HOTEL	LOVER	None	1 child	2 children	4 children	1 child	2 children		
Soliciting	...	...	1	2	3	1	...	2	3	4	...	...	2	1	1	2	6	2	2	4	1	2	...	5	2	2	14	1	1	...	...	...		
Offering to secure a prostitute (C. C. P. Sec. 887-4b)	...	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	
Permitting premises to be used for immoral purposes (C. C. P. Sec. 887-4e)	...	...	...	1	...	...	...	1	...	...	...	...	...	...	...	1	1	...	...	...	1	...	1	...	...	...	1	...	...	...	...	1	...	
Prostitution in tenements (T. H. L. 150-Sub. 3, 4, 5)	1	1	4	1	6	4	2	...	2	3	1	2	1	...	3	8	1	6	2	1	4	3	7	6	...	3	14	3	4	1	1	1	1	
Incorrigibility	...	...	1	3	1	1	...	...	...	1	...	...	...	...	1	3	1	1	...	1	2	1	...	2	...	1	6	...	...	...	...	1	...	
TOTAL	1	1	6	7	10	7	2	3	5	8	1	2	3	2	6	14	9	9	4	6	8	6	9	13	2	6	35	4	6	1	3	1	1	

<sup>1</sup> Based upon the study of fifty case histories, a fair sampling. For method of selection and discussion see pp. 468-471.<sup>2</sup> One woman was separated from her husband and one divorced.<sup>3</sup> Only two of these girls completed their high school courses.<sup>4</sup> Includes art school, boarding school, business school, convent and nurses' training.<sup>5</sup> For offenses included under this heading, see Table 1, Footnote 13.

TABLE 16. PREVIOUS AND SUBSEQUENT CONVICTIONS IN THE WOMEN'S COURT, NEW YORK <sup>1</sup>

OFFENSE	TOTAL NUMBER OF PROBA- TIONERS	NUMBER OF PREVIOUS CONVICTIONS			NUMBER OF SUB- SEQUENT CONVIC- TIONS UP TO OCTOBER 1, 1921	
		0	1	3	0	1
Soliciting <sup>2</sup>	16	15	1	...	15	1
Offering to secure a prostitute (C. C. P. Sec. 887-4b)	1	1	...	...	1	...
Permitting premises to be used for im- moral purposes (C. C. P. Sec. 887-4e)	2	2	...	...	1	1
Prostitution in tenements (T. H. L. 150-Sub. 3, 4, 5)	24	23	1	...	22	2
Incorrigibility	7 <sup>3</sup>	5	1	1	7	...
TOTAL	50	46	3	1	46	4

<sup>1</sup> Based upon the study of fifty case histories. For discussion see p. 468.

<sup>2</sup> For offenses included under this heading see Table 1, Footnote 13.

<sup>3</sup> Because incorrigibles are not finger-printed, the number of previous and subsequent convictions can be stated only where the defendant was recognized.

TABLE 17. INCIDENCE OF VENEREAL DISEASE AMONG FIFTY WOMEN PLACED UPON PROBATION DURING THE FIRST SIX MONTHS OF 1920<sup>1</sup>

OFFENSE	TOTAL NUMBER OF PROBA- TIONERS	NOT EXAMINED	EXAMINED FOR GONOR- RHEA AND SYPHILIS	RESULTS			
				Not Infected	Infected <sup>2</sup>		
					Gonorrhea	Syphilis	Gonorrhea and Syphilis
Soliciting <sup>4</sup>	16	...	16	8	1	4	3
Offering to se- cure a prosti- tute (C. C. P. Sec. 887-4b)	1	...	1	1	...	...	...
Permitting premises to be used for im- moral pur- poses (C. C. P. Sec. 887-4c)	2	...	2	1	...	...	1
Prostitution in tenements (T. H. L. 150- Sub. 3, 4, 5)	24	...	24	15	1	2	6
Incorrigibility	7	5	2	...	...	...	2
TOTAL	50	5	45	25	2	6	12

<sup>1</sup> Based upon the study of fifty case histories and records of the Bureau of Venereal Diseases. For discussion of this table, see p. 468.

<sup>2</sup> One girl was examined for syphilis only.

<sup>3</sup> Twenty girls were sent to Kingston Avenue Hospital for treatment.

<sup>4</sup> For offenses included under this heading see Table 1, Footnote 13.

TABLE 18. FREQUENCY OF CALLS MADE BY PROBATION OFFICER IN RELATION TO PROBATIONER'S REPORTING IN PERSON <sup>1 2</sup>

NUMBER OF CALLS MADE BY OFFICER AT PROBATIONER'S HOME	TOTAL NUMBER OF PROBATIONERS	NUMBER OF TIMES PROBATIONER REPORTED IN PERSON																
		0	1	2	3	4	5	6	8	9	10	11	12	13	14	16	17	18
0	12	7	...	2	2	...	...	1	...	...	...	...	...	...	...	...	...	...
1	5	3	...	...	...	...	...	...	...	1	...	...	...	...	...	...	1	...
2	11	...	...	...	1	1	...	...	1	1	3	1	2	...	1	...	...	...
3	11	1	...	...	...	...	...	1	...	...	1	2	1	...	1	2	...	2
4	3	1	1	...	...	...	...	...	...	...	...	1	...	...	...	...	...	...
5	2	...	...	...	...	...	...	...	...	...	1	...	...	...	...	1	...	...
6	2	...	...	...	...	...	...	...	...	...	...	1	...	1	...	...	...	...
7	2	...	...	...	...	...	1	...	...	...	...	...	...	1	...	...	...	...
8	2	...	...	...	...	...	...	...	...	1	...	...	...	...	...	1	...	...
TOTAL	50	12	1	2	3	1	1	2	1	3	5	5	3	2	2	4	1	2

<sup>1</sup> Based upon the study of fifty case histories. For discussion see p. 469.

<sup>2</sup> Visits made by private agencies cooperating with the city probation officer are counted as officials' visits.

## BOOK REVIEWS

**HIGH SCHOOLS AND SEX EDUCATION.** Edited by Benjamin C. Gruenberg, United States Public Health Service. To be had of the Superintendent of Documents, Government Printing Office, Washington, D. C., for 50 cents.

This remarkable handbook of social hygiene and sex education in the high schools represents a number of achievements: (1) collecting experiments in this work as these have been undertaken in various parts of the United States; (2) comparing and digesting these experiments and the results of them; (3) interpreting these in terms of education and life; and (4) organizing, on the basis of them, positive and concrete suggestions for sex-character education in connection with the various school subjects that are at all vitally related to the problems of health, attitude, and character.

Just as the experiments represent the efforts of numerous teachers, the interpretations and recommendations represent the thought of many scientists, teachers, hygienists, social workers, and parents. Yet to say so much about the multiple origin of the contents must not be allowed to detract from the great skill and precision with which Dr. Gruenberg has integrated and formulated the materials. Only those who saw the first drafts of the chapters can adequately realize how much its final result owes to the genius of the editor. The book is easily the high-water-mark in its field.

The only serious objection to the final form of the manual is its brevity,—and, of course, brevity always carries some compensations! Nevertheless, this has made necessary a too brief treatment, or the complete omission, of numerous important topics which need at the present stage of this movement to be clarified for the incompletely convinced or prepared educator. The observation of the reviewer is that bibliographic references, however exact and relevant, are a poor substitute for necessary fullness of detail, especially in a field in which advance depends so much upon the voluntary and often unappreciated efforts of teachers already overloaded with fixed duties.

The introduction and the three chapters of Part I are given to reassuring the doubtful and the fearful, to locating responsibility, to

developing appreciation, attitude, and an unrepressed spirit in relation to the subject, to outlining general aims and methods, and to suggesting means of preparation for meeting the sex needs of young people.

Part II is taken up with special discussion of the rôle which should normally be expected of the various school departments in advancing sex-character education, and with outlining the topics and emphases which should be added to what is already being done in these courses in order to serve the ends contemplated. A chapter is given to the development of social hygiene in connection with each of the following school courses:—biology; general science; physical education (and hygiene); home economics; the social studies; English composition and literature. For the schools of certain parts of the country, agriculture and stock-breeding might well have been included, since such a course is not infrequently elected instead of, and without any preliminary, biology. Such a course may be made almost as good a vehicle for understanding of sex, reproduction, and the foundations of home and family life for the boys as home economics is for the girls.

Besides these regular chapters, the book has an analytic table of contents; appendices on "Emergency Devices," Outline of Summer-School Course for High-School Teachers, Topics on Personal Hygiene, and Outline of Lectures on Sex Education in Connection with Domestic Sanitation and Home Nursing; and a general bibliography.

Without question this book will both fill a want already felt by many progressive teachers, and arouse a more general appreciation among educators of the need and the value of conscious and constructive sex-character education, which is one of the most important educational tasks now confronting people who regard the quality of human life as more important than the quantity and variety of our material or political development.

T. W. G.

SEX AND COMMON SENSE. By Maude Royden. New York: G. P. Putnam's Sons, 1922. 211 p.

In this book, Maude Royden has given us a useful contribution to the interpretive side of sex. It is essentially spiritual, yet never apologetic for the physical. With a frankness not in the least offensive, the reader is led to admit the part sex must play in the life of the well-balanced individual. Nor does the author seek to sub-



limate the physical out of existence,—rather to hold it as a precious instrument to develop and express deep refining emotion. Her treatment of the subject bears largely on sex fulfilled in marriage.

The book rings true rationally and emotionally. Sex emotion rightly handled justifies itself. It colors life. Out of the realms of acts and fleeting emotion the author lifts it to a unifying experience. It becomes the temperer of character.

The spirit of this volume might well be caught by all who contemplate marriage, no matter how remotely. It is a real stimulus to the use of sex endowment for noble ends.

E. H. S.

**WOMAN AND THE NEW RACE.** By Margaret Sanger. New York: Brentano, 1920. 234 p.

In this book the author deals with a subject which lies as yet in the field of vigorous controversy, namely, birth control. It is an important book for the discriminating reader. The author undertakes to show that human overproduction lies at the roots of all or most of our distressing social problems, such as, poverty, the oppression of the masses, the exploitation of labor, child labor, prostitution, the propagation of defectives, the perpetuation of despotic tyranny, and war. The keynote of the book is sounded in the preface by Havelock Ellis. He says: "Woman by virtue of motherhood is the regulator of the birth-rate, the sacred disposer of human production. It is in the deliberate restraint and measurement of human production that the fundamental problems of the family, the nation, the whole brotherhood of mankind find their solution."

The author asserts that it is the feminine spirit seeking to liberate itself which is the driving force behind the women's movement. Throughout the growth of civilization this spirit has expressed itself in efforts to limit offspring, such as infanticide and abortion. The modern movement for controlled parenthood is only a more intelligent and humane expression of that spirit seeking larger, fuller, and more social life. As, in the author's opinion, woman has unconsciously and ignorantly brought about social disaster by overproduction, women are responsible consciously and intelligently to undo the disaster by control of conception.

The author contends for example that unrestricted reproduction is the essential cause of the modern problems of labor. The servitude

of labor springs from numbers. Low wages, oppression, unemployment, working mothers, child labor, and poverty, are natural corollaries of an excessive birth-rate. A high death-rate also goes with a high birth-rate.

The author maintains that in "battalions of unwanted babies" lies the cause of war. Overpopulation inevitably brings about pressure for expansion which is the cause of most wars. It was the essential cause of the great World War.

Answering those who are willing to concede the principle of limitation of offspring to be sound, but who hold that continence is the only legitimate method, the author says, "It may meet the needs of a few but it does not meet the needs of the masses. As a means of birth control, continence is as impractical as it is undesirable."

Mrs. Sanger calls attention to the apparent prevalence of abortion in modern times and asserts that the logical cure of this evil is knowledge of the use of contraceptives. We must choose between birth control through contraceptive knowledge, and abortion.

Speaking of the place of birth control in the woman's movement the author says: "The demand for suffrage, the agitation against child labor, the regulation of working hours for women, the insistence upon mothers' pensions are palliatives all. Yet as woman's understanding develops and she learns to think at the urgency of her own inner nature, rather than at the dictates of men, she moves on from these palliatives to fundamental remedies." Woman cannot be really free until she has attained the liberty of her own person; until she may choose when children shall be conceived.

Mrs. Sanger's book breathes the spirit and passion of the reformer and propagandist. While in the main she has marshalled her arguments with fairness they manifest an attitude of dogmatism and assurance which many thinking people will regard as unwarranted. Seeing birth control as basic in all our great social issues, as she does, she is inclined to overlook the many other complex factors which enter into them and to regard the solution of these problems as simple.

These common defects of a propaganda book, however, will not cause the thoughtful reader to lose the force of the author's main contention, that voluntary parenthood, as against accidental or forced, is socially sound; that every child has the right to be wanted; that the intelligent control of parenthood is a social issue which deserves the unbiased and constructive thought of all socially-minded people.

To this extent the author has made her case. However one may disagree with her, this book will probably succeed in making thinking people "sit up and take notice."

There is a large element of the population who could wish that the birth-control propagandists might place their movement on a broader basis. These believe that this question should be but a phase of a broader educational movement which seeks to make the whole of our sex endowment contribute more richly to human happiness and social welfare; that it should work both ways. On the one hand it should stimulate to voluntary and adequate parenthood those who now use knowledge of contraceptives for selfish, unsocial ends, and lead them to realize how they rob themselves of their fullest self-realization and happiness as well as shirk their social duty. On the other hand, the movement will seek to bring relief to the masses who by excessive procreation bring misery to themselves and their offspring and perpetuate and intensify many of our greatest social ills. On the methods to be employed to this end many thoughtful people disagree with the propagandists though they concede the soundness of the principle of birth control.

M. J. E.

SYPHILIS OF THE INNOCENT. By Harry C. and Maida H. Solomon.  
Washington: U. S. Interdepartmental Social Hygiene Board, 1922.  
iv + 239 p.

To the series of valuable publications made possible by grants from the U. S. Interdepartmental Social Hygiene Board this volume is a most helpful addition. The authors have delved into a field in which authoritative writing is scant and have succeeded admirably in their avowed purpose, "to present the subject of syphilis in its social aspects." The purely medical problems of syphilis have been extensively and, in many instances, ably handled by other writers, but the Solomons are among the first to develop its effects on the family and, through the family, the communal structure.

If one word could constitute a review, my choice in this case would be "sensible." The subject is presented in a well-balanced, thorough manner. Beyond this simple statement I find it almost impossible to go without quoting extensively, as each statement is made concisely, with well-chosen words.

The chapter heads, though indicating but little, are all-inclusive:

The Individual, Mate, Child, Family, Community. Each topic is given full consideration; without useless words; with careful weighing of facts; without overemphasis; with statistical and case-record illustration. One hundred and fifty-two cases, chiefly from their own experience, are used by the authors to illustrate the many points made.

Since the publication of Stokes' *To-day's World Problem in Disease Prevention* we have been looking for a supplementary medico-sociological volume for the physician and his aides, the health officer, the nurse, and medical social worker. This study of the Solomons supplies it. To the social and health worker not requiring diagnostic or therapeutic technic, the two volumes are all that are required. To the physician, specialist or other, we commend *Syphilis of the Innocent*, with the assurance that familiarity with the volume will strengthen and widen his field of usefulness.

A. N. T.

### BRIEFER COMMENT

**FORTY NOTIFIABLE DISEASES.** A Simple Discussion of the More Important Communicable Diseases. By Hiram Byrd. Yonkers-on-Hudson, New York: World Book Company, 1922. vi+74 p.

On the whole a sound discussion of the venereal diseases is included. The book is written for the laity.

**BIOLOGY OF SEX.** For Parents and Teachers. By T. W. Galloway. Boston: D. C. Heath & Co., second edition, 1922. xiii+149 p.

To the many who have read and used the first edition of this book, the advent of this edition will be a distinct asset. Since its first appearance in 1913, the question of sex education has developed. Such developments the author has not failed to note in this later edition. Chapter VIII, "The Central Place of the Home and the Family," is entirely new, while Chapter X, "Time and Manner of Instruction," is very much enlarged, and Chapter XI, "Graded Problems and Projects in Sex Education," is reorganized, all indicating the developments which the war and post-war conditions have brought about.

**KIMONO.** By John Paris. New York: Boni & Liveright, 1922. 920 p.

A novel whose chief interest to social hygiene is its fearless exposé of the Yoshiwara system in Japan. It is said that the book has been suppressed in Japan.

**PRENATAL CARE IN CHICAGO.** A Survey by the Chicago Community Trust. By Mrs. K. F. Rich. Chicago: The Chicago Community Trust, 1922. 102 p.

This paper-bound publication contains much of interest for social-hygiene workers. It contains a thorough statement of the importance of the problem of

prenatal care, a complete account of Chicago's prenatal stations, and a final part discussing conclusions and recommendations that were made as a result of the study.

**THE GROWING GIRL.** Her Development and Training. By Evelyn Saywell. Preface by Hugh Crichton Miller. London: Methuen & Co. Ltd., 1922. ii+37 p.

This book is helpful in establishing desirable attitudes toward sex, and for character training. It neglects, however, to deal with a large section of children's questions which parents find most difficult to answer, and places the burden of such discussion on other books and pamphlets.

**BI-SEXUAL LOVE.** The Homosexual Neurosis. By Dr. Wilhelm Stekel. Translated by James S. Van Teslaar, M.D. Boston: Richard G. Badger, 1922. x+359 p.

This volume is for sale only to members of the medical profession, and its interest would be chiefly to physicians and psychiatrists. The author has written many books which have the theory of psychoanalysis for foundation. In this, as in the others, he is an ardent Freudian.

**PERSONAL HYGIENE APPLIED.** By Jesse Feiring Williams. Philadelphia: W. B. Saunders Company, 1922. 413 p.

Chapter XII, "Hygiene of the Sexual Aspects of Life," is the only one which has a direct bearing on social hygiene. This chapter opens with a discussion of terminology and general scope of social hygiene, and continues with an interesting interpretation of sex instinct, followed by a sensible presentation of the meaning of marriage. The facts of venereal diseases are concisely given, and in a manner calculated to stimulate further study. If, as the author states in the preface, "the aim of this book is to improve the quality of human life," it would seem that too little space has been devoted to the question of sex as it affects health and well-being.

## BOOKS RECEIVED

*Under this head the JOURNAL OF SOCIAL HYGIENE lists books received which do not fall sufficiently within its field or are not of sufficient importance to its readers to warrant comment.*

**KOMPENDIUM DER SOZIALEN HYGIENE.** Dr. B. Chajes. Berlin: H. Kornfeld, 1921. 178 p.

**NUTRITION AND GROWTH IN CHILDREN.** Dr. William R. P. Emerson. New York: D. Appleton and Company, 1922. xxix+342 p.

**SAFE MARRIAGE.** A Return to Sanity. Ettie A. Rout. With preface by Sir W. Arbuthnot Lane. London: William Heinemann, Ltd., 1922. xv+78 p.

**THE STAGES OF HUMAN LIFE.** J. Lionel Taylor. New York: E. P. Dutton and Company, 1921. xiv+377 p.

**SEXUAL REFORM UND SEXUALWISSENSCHAFT.** Dr. A. Weil. Stuttgart: Julius Puttmann, 1922. 287 p.

**TRANSACTIONS OF THE TWELFTH ANNUAL MEETING.** American Child Hygiene Association. Albany: J. B. Lyon Company, Printers, 1922. 413 p.

## ABSTRACTS OF PERIODICAL LITERATURE

SOCIAL TREATMENT OF THE UNMARRIED MOTHER SEPARATED FROM HER CHILD. By Maud Morlock. *Hospital Social Service*, Vol. vi, No. 2, August, 1922.

Perhaps the first point to remember in planning with the unmarried mother who is to be separated from her child, is to get her point of view and the plan which she would like to carry out for herself and child. She should have an opportunity to talk over and weigh her plan with the social worker, who must not be lacking in sympathy and a thorough knowledge of the circumstances of the case with which she is dealing. The latter can best be attained through frequent meetings and an analysis of the character of the girl. Often the girl's desires are ignored and she is urged to undertake housework on the assumption that she would have a good home and probably more ready money than if she went to work in a factory. Another thing to be considered is whether the child will have a good home. The characters of the proposed foster parents should be ascertained and it should always be realized that the character of the foster father is especially important since he can be a force for tremendous good or evil. It is the visitor's duty to try to reconcile, when advisable, the parents of the girl with her and her child, and establish family relations between them, for much of the girl's self-respect can be regained through it. In closing, the author pleads for sympathy with the unmarried mother when she comes for help at one of the greatest crises in her life. She comes morbid and sensitive, and needs tactful and encouraging treatment.

THE RELATION OF BIRTH CONTROL TO EUGENICS. By E. W. McBride. *The New Generation*, Vol. i, No. 6, June, 1922.

Because of the advance in medical science and of humanitarian legislation the death-rate in England has been reduced to 12 per 1000. This reduction has been accompanied by two conditions: (1) the birth-rate has diminished, and (2) the more competent sections of the population have been more and more burdened with the support of the offspring of the incompetent, and as a consequence the birth-rate of

this section has been diminished out of all proportion to the birth-rate of the rest. Sentimentalists are inclined to advocate more assistance for the children of the incompetent. They ask how can it be assumed that the rich and well-to-do are more competent and fit to survive than the poor? Is not the question of riches and poverty merely a result of luck? Such objection raises the questions of whether competence can be measured and whether it can be inherited. Science has demonstrated that competence can be measured. The tests originated by Simon and Binet are used and accredited in nations all over the world. As to the heritability of competence, experiment and investigation both indicate that competence is inheritable. When two mentally deficient individuals marry, the resulting children will all be mentally deficient. In these people, therefore, who make up the majority of the slum population, there is the perennial source of contamination of the life-blood of the nation, and the only remedy for such a state of affairs is painless extinction through birth control, that is, the prevention of conception. It might be impossible to force these utterly reckless people to adopt any form of birth control, and compulsory birth control or sterilization is the only cure. As this can be accomplished painlessly and without surgery by means of X-rays, it is no hardship to the individual. It is not true that the selection of those who should be sterilized would be an arbitrary and tyrannical affair. Sterilization is not meant for those of weak constitutions or who are tuberculous. Nature weeds these out, and the world would be far poorer if some of the constitutionally weak, had not lived. In concluding, the author says:

But methods of birth control vary; they range all the way from a sort of celibacy within the marriage tie to abortion. Some are harmless and some are dangerous. It seems to us, therefore, an urgent necessity that, just as the Minister of Health has constituted a committee to study the best methods of preventing venereal disease, so also a committee of medical men should be set up, to select the most suitable means of birth control, and when they have arrived at a decision, the information which they sanction should be given at every hospital and mother's welfare center throughout the Kingdom.

#### WHY MARRIAGE BILLS FAIL WHICH PROVIDE FOR ADVANCE NOTICE.

By Joanna C. Colcord. *The Family*, Vol. iii, No. 6, June, 1922.

The advance notice laws now in operation call for a period of delay between the application for a license and its issuance, or between the issuance of a license and the wedding ceremony. When these laws

are compared with the bills which have been proposed during the past few years, one reason for the failure is clear. The bills are too radical. Some of them provide for ten, fifteen, or twenty days before the license may be issued instead of the five days required by the existing laws. Then, too, some of the bills provide that the notice of intention be published at the expense of the county, in newspapers to be selected by administrative officers. Other bills provide elaborate machinery for the filing and hearing of objections in court. Although these features no doubt are desirable, still they are not absolutely necessary to carry out the purpose of preventing impulsive marriages. Experience has shown that the five-day interval is effective in those states where it is carried out. When elaborate machinery for hearing objections in court is provided for in a marriage bill, it seems very imposing to the legislators and tends to excite antagonism.

The author would suggest that bills in the future should be drafted along the general lines of the laws already in force in certain of the nine states in which such laws already exist.



## NOTE AND COMMENT

POLICY OF THE SOCIETY FOR THE PREVENTION OF VENEREAL DISEASE, (London).—The Society for the Prevention of Venereal Disease has made a step forward and promulgated a detailed policy. It takes its stand on three main principles: 1. It is the duty of every good citizen to live a chaste life. 2. It is the office of medical science to prevent the consequences of sexual immorality. According to the Royal Commission on Venereal Diseases, the number of persons affected with syphilis, acquired or congenital, cannot fall below 10 per cent of the whole population of the large cities, and the percentage of those affected with gonorrhea must greatly exceed this. The tragic fact is that the evil passes to innocent women and children. 3. Venereal disease can be prevented by immediate self-disinfection, provided it is intelligently applied. Self-disinfection may fail by misuse or delay; but this is no argument against its efficacy. The society also insists on the obligation of seeking and testing new measures of prevention. It looks with favor on all curative measures, and heartily approves of venereal clinics. It teaches that instruction in the methods of self-disinfection should not be refused to males who have reached adolescence, to adult women if they desire it, or even to younger persons at the discretion of their parents or those responsible for their welfare. It advocates the propagation of such knowledge as may tend to diminish venereal disease and its grave consequences by lectures and leaflets, assuming that the lectures are attended and the leaflets received only by such persons as have reached adolescence.

Following this preamble, the society's policy is laid down under five headings: 1. To instruct the public as to (a) the great importance of self-disinfection at the time of exposure and (b) the methods of doing this. 2. To give such instruction only to men above the age of 18, to adult women on demand, and to younger persons in special cases at the discretion of those responsible for their welfare. 3. To insure the sale of the disinfectants required with full instructions to such persons and to such persons only. 4. To convey instructions regarding the nature and application of such disinfectants to such persons (1) by leaflets supplied (a) with disinfectants at the time of sale, and (b) by attendants at public conveniences on demand; (2) by

lectures; (3) by medical officers of venereal clinics; (4) by officers or officials in charge of naval, military, and industrial units. 5. To advocate such further steps for the prevention of venereal disease as may from time to time be deemed advisable by the executive committee. (London Correspondent, American Medical Association *Journal*, July 22, 1922.)

**MEDICAL SOCIETY FOR THE STUDY OF VENEREAL DISEASES.**—A meeting has been held in London at which it was decided to form a medical society for the study of venereal diseases. The chairman, Dr. David Watson of Glasgow, stated that those engaged in venereal-disease work had expressed a desire for a society in which these diseases would receive due consideration. A constitution was adopted and it was agreed that, subject to the approval of the council, local divisions of the society may be formed. The question of the publication of a journal was remitted to the council for consideration. The officers elected to act until the first general annual meeting, to be held in July, were: President, Dr. David Watson, Glasgow; vice-president, Dr. Wilfred Fox and Mr. F. S. Kidd, London; committee, Dr. Mary Liston, Edinburgh, Mr. D. Vinrace, Dr. D. Wyndham Powell, and Col. L. W. Harrison, London; secretary and treasurer, Mr. E. R. T. Clarkson, London. (London Correspondent, American Medical Association *Journal*, July 22, 1922.)

**EFFECTIVENESS OF EDUCATIONAL AND CURATIVE MEASURES AGAINST SYPHILIS.**—In England, as in the United States, a reduction in syphilis is apparent. Comparing death-rates per million in 1915 and 1920, respectively, it is found that in the former year syphilis was the registered cause of 53 deaths, and in the latter year, of 54 deaths; tabes dorsalis, of 21 and 16 deaths; general paralysis, of 62 and 40 deaths; and aneurysm, of 31 and 26 deaths, respectively. All of these except syphilis itself show a decline; and as pointed out by the Annual Report of the Registrar-General for England, the exception is only apparent; for inasmuch as more than two-thirds of the deaths ascribed to syphilis occur in infancy, the higher birth-rate in 1920 means that, stated in terms of infantile population, the death-rate from syphilis in that year was lower than in 1915. Although a long interval occurs between syphilitic infection and death from consequent tabes, paresis, or aneurysm, the figures suggest that already educational and curative measures taken in recent years are having their effect.

## SOCIAL HYGIENE BIBLIOGRAPHY

Compiled by

JANET F. MELVAIN

*Executive Librarian, National Health Library*

- BARTHOLOMEW, P. H. The state control of venereal diseases. *Medical Herald*, June, 1922, p. 177-180.
- BATES, G. The venereal-disease problem. *Public Health Journal* (Toronto), June, 1922, p. 265-279.
- BIERMAN, W. The social-hygiene campaign in Florida. *Nation's Health*, July, 1922, p. 397-398.
- BROWN, F. E. Mental defect and venereal disease. *Public Health Journal* (Toronto), May, 1922, p. 222-229.
- BRUNET, W. M. Humanized social service in venereal-disease control. *American Journal of Nursing*, June, 1922, p. 832-834.
- BRUNET, W. M. The public health nurse in venereal-disease control. *Public Health Nurse*, July, 1922, p. 343-348.
- BRUNET, W. M. Syphilis—diagnosis, prognosis, and treatment. *National Medical Association Journal*, July-Sept., 1922, p. 154-158.
- Campaign for purity. *Survey*, Aug. 12, 1922, p. 626.
- The college student and venereal disease. U. S. *Public Health Reports*, Aug. 4, 1922, p. 1882-1886.
- Compulsory legislation against venereal diseases in Western Australia. *Shield* (London), June, 1922, p. 275-276.
- Control of venereal disease. *Lancet* (London), June 3, 1922, p. 1114-1116; June 24, 1922, p. 1265-1266.
- ECLE, M. C. Venereal diseases from the army standpoint. *Virginia Medical Monthly*, June, 1922, p. 155-158.
- The education of the adolescent in social hygiene. *World's Health* (Geneva), July, 1922, p. 345-349.
- FUNKHOUSER, L. W. A study of venereal-disease cases. *Survey*, Aug. 12, 1922, p. 624-625.
- Growing demand for a program on sex education. *Social Welfare* (Toronto), June, 1922, p. 191-192.
- HORT, R. The value of neurological examination in syphilis. *American Journal of Syphilis*, April, 1922, p. 273-279.
- IRVINE, H. C. AND THOMSON, A. N. The management of the venereal-disease clinic. *Hospital Management*, Feb., 1922, p. 46-48; July, 1922, p. 43-47.
- JULL, R. H. M. West Australian health act. Clauses dealing with venereal diseases. *International Woman Suffrage News*, Aug., 1922, p. 162-163.
- KEIGER, J. A. The relation of the general practitioner to venereal diseases. *Virginia Medical Monthly*, June, 1922, p. 160-161.
- KETTLEWELL, G. D. The problem of the syphilitic child. *British Journal of Nursing*, June 17, 1922, p. 379-380.
- MENKEN, A. D. A social aspect of the unmarried mother. *Journal of Delinquency*, March, 1922, p. 99-103.

- MORLOCK, M. Social treatment of the unmarried mother separated from her child. *Hospital Social Service*, Aug., 1922, p. 68-75.
- MYERS, G. Fighting a menace to our race. *Current History*, June, 1922, p. 420-425.
- National council of social hygiene. *Lancet* (London), June 3, 1922, p. 1117.
- Notification of venereal diseases. *Medical Officer* (London), Aug. 19, 1922, p. 78-79.
- PARKAM, J. C. The relation between syphilis and yaws as observed in American Samoa. *American Journal of Tropical Medicine*, Aug., 1922, p. 341-352.
- The policy of the S. P. V. D. [Society for the prevention of venereal disease.] *Medical Officer* (London), June 17, 1922, p. 259-260.
- Prostitution in the South. *Survey*, Aug. 12, 1922, p. 613.
- QUIRK, J. M. Syphilis as an economic factor in industry. *International Journal of Surgery*, May, 1922, p. 175-179.
- Regulations governing allotment of funds for venereal-disease prevention work. *U. S. Public Health Reports*, May 12, 1922, p. 1143-1146.
- RICHMOND, P., JR. The venereal-disease problem. *U. S. Naval Medical Bulletin*, July, 1922, p. 159-164.
- ROLLESTON, C. The control of venereal diseases. *Public Health* (London), Aug., 1922, p. 305-307.
- RYTINA, A. G. The Maryland state department of health venereal-disease clinic. *American Journal of Syphilis*, April, 1922, p. 185-197.
- Sex education. *Public Health Journal* (Toronto), March, 1922, p. 118-120; April, 1922, p. 174-176; May, 1922, p. 215-219.
- Sex education. *Vigilance Record* (London) June, 1922, p. 43-44.
- SNOW, W. F. Gonorrhea and syphilis in industry. *Nation's Health*, Aug., 1922, p. 495-496.
- Social-hygiene conferences for non-professional women. *U. S. Public Health Reports*, June 3, 1922, p. 1307-1313.
- Society for the prevention of venereal disease. *Lancet* (London), July 8, 1922, p. 92-93.
- Statistics on prostitution. *American Medical Association Journal*, July 29, 1922, p. 394.
- Sweden and venereal disease. *Medical Officer* (London), May 13, 1922, p. 198.
- Syphilis. *Survey*, June 15, 1922, p. 402.
- THOMSON, A. N. AND NICHOLS, F. O. State control of venereal diseases. *National Medical Association Journal*, April-June, 1922, p. 98-99, 108-109.
- TOBEY, J. A. A list of bibliographies on health subjects. *American Journal of Public Health*, June, 1922, p. 525-527.
- The unmarried mother and her child. *Medical Officer* (London), Aug. 19, 1922, p. 73.
- VECKI, V. G. The curability of syphilis. *California State Journal of Medicine*, Aug., 1922, p. 274.
- WALKER, G. The prophylaxis of venereal disease. *American Medical Association Journal*, May 20, 1922, p. 1510-1515.
- WILLIAMS, C. M. The development of the venereal battalion. *Military Surgeon*, Aug., 1922, p. 177-187.

# OFFICERS AND DIRECTORS OF THE AMERICAN SOCIAL HYGIENE ASSOCIATION

*Honorary President:* CHARLES W. ELIOT

## *Honorary Vice-Presidents*

MISS JANE ADDAMS	O. EDWARD JANNEY, M. D.
NEWTON D. BAKER	DAVID STARR JORDAN
R. FULTON CUTTING	JULIUS ROSENWALD
JAMES CARDINAL GIBBONS*	WILLIAM H. WELCH, M. D.

*President:* HERMANN M. BIGGS, M. D.

## *Vice-Presidents*

JOHN J. EAGAN	JOHN H. STOKES, M. D.
WILLIAM S. KELLER, M. D.	RAY LYMAN WILBUR, M. D.

*Treasurer:* JEROME D. GREENE

*Secretary:* DONALD R. HOOKER, M. D.

## BOARD OF DIRECTORS

THOMAS M. BALLIET	MRS. JAMES LEES LAIDLAW
MAURICE A. BIGELOW	JAMES PEDERSEN, M. D.
HUGH CABOT, M. D.	ROCKWELL H. POTTER
JOHN M. COOPER	ROSCOE POUND
MRS. HENRY D. DAKIN	GEORGE D. PRATT
WILLIAM A. EVANS, M. D.	FREDERICK F. RUSSELL, M. D.
LIVINGSTON FARRAND, M. D.	WILLIAM F. SNOW, M. D.
RAYMOND B. FOSDICK	MRS. ANNA GARLIN SPENCER
HENRY JAMES	WALTER T. SUMNER
EDWARD L. KEYES, JR., M. D.	C.-E. A. WINSLOW
HUGH H. YOUNG, M. D.	

## *Executive Committee*

EDWARD L. KEYES, JR., M. D.	HENRY JAMES
MAURICE A. BIGELOW	GEORGE D. PRATT
MRS. HENRY D. DAKIN	WILLIAM F. SNOW, M. D.
RAYMOND B. FOSDICK	PRESIDENT and SECRETARY, <i>ex officio</i>

\* Deceased

## CONTENTS OF RECENT ISSUES

July, 1921

The Distribution of Wealth as a Eugenist Sees It.....	Roswell H. Johnson
Some Dysgenical Effects of the War in Italy.....	Marcello Boldrini
The Biological Bearing of Army Mental Tests.....	Arthur H. Estabrook
Eugenics in the Central Empires since 1914.....	Geza von Hoffmann
Society Becoming Self-Conscious.....	Benjamin C. Gruenberg
The Sins of Industry against the Race.....	Herman Lundborg
Progress, 1920-1921.....	Kenneth M. Gould

October, 1921

A Study of Specialized Courts Dealing with Sex Delinquency.	
I. The Morals Court of Chicago..	George E. Worthington and Ruth Topping
A Program for the Statistics of the Venereal Diseases.....	
.....	Louis I. Dublin and Mary Augusta Clark
International Venereal-Disease Statistics.....	Knud Stouman
The Present Prevalence of Venereal Diseases.....	Lawrence Marcus
Age, Sex, and Marriage in Relation to Incidence.....	Raymond S. Patterson

January, 1922

Education in Sex and Heredity: A Practical Program.....	Henry M. Grant
A Study of Specialized Courts Dealing with Sex Delinquency.	
II. The Misdemeanants' Division of the Philadelphia	
Municipal Court.....	George E. Worthington and Ruth Topping

April, 1922

The Functions of Law and Law Enforcement in Combating Venereal Diseases	
.....	Bascom Johnson
A Study of the Sex Life of the Normal Married Woman.....	Katharine B. Davis
A Study of Specialized Courts Dealing with Sex Delinquency.	
III. The Second Sessions of the Municipal Court of	
the City of Boston.....	George E. Worthington and Ruth Topping









